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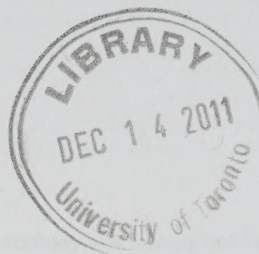








HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA



# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Monday, November 21, 2011**

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**Speaker: The Honourable Andrew Scheer**



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HOUSE OF COMMONS  
OFFICE OF THE CLERK

# House of Commons Debates

ALLIANCE FOR THE AMERICAN PEOPLE • IN DEBATE • NOVEMBER 21, 1971

OFFICIAL REPORT  
(REVISED)

Monday, November 21, 1971

Speaker: The Honorable Andrew Cohen



## HOUSE OF COMMONS

Monday, November 21, 2011

The House met at 11 a.m.

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*Prayers*

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### PRIVATE MEMBERS' BUSINESS

• (1105)

[*English*]

#### CANADIAN FORCES SUPERANNUATION ACT

**Mr. Peter Stoffer (Sackville—Eastern Shore, NDP)** moved that Bill C-215, An Act to amend the Canadian Forces Superannuation Act and the Royal Canadian Mounted Police Superannuation Act (deletion of deduction from annuity), be read the second time and referred to a committee.

He said: Mr. Speaker, I wish to thank my hon. colleague, the member for Esquimalt—Juan de Fuca, and my entire party from coast to coast to coast for their support during the six years that I have been trying to get the bill passed. This is the sixth year that Bill C-215, in its many forms, has come to light.

First I would like to thank Roger Boutin, Mel Pittman and John Labelle from Lower Sackville, Nova Scotia, for bringing this matter to my attention over six years ago and helping me with this legislation.

When individuals in the military or RCMP retire at age 65, the amount of money they receive from the Canada pension plan is deducted from their superannuation. Also, if they become disabled in their forties or fifties, for example, whatever amount they get from CPP disability benefits is deducted from their superannuation. That is wrong.

Most people do not know that all federal and provincial public servants who receive an annuity from their government, from the Canada pension plan, get that deducted from their superannuation when they retire at age 65, except for senators, judges and your friendly members of Parliament.

In 1965-66, when the scheme came into place, nobody in the military or the RCMP was advised of this. They had no options, yet somehow this great scheme avoided members of Parliament, senators and judges. As I have asked repeatedly over six years, if it is such a great deal for members of the armed forces and the RCMP, why did members of Parliament not get into it? It is quite

obvious that somebody was looking out for our personal interests at that time.

In 1966, people paid a certain amount into one pension plan. When the Canada pension plan came into effect in 1966, the system was blended. Members of Parliament have what is called a stacked system. However, most people have a blended system which is divided into superannuation and CPP. The argument is that they did not pay enough into both to merit both when they retire.

If indeed that is the case, then why is it that at age 60 a person can fully retire, receive his or her superannuation and then apply for the Canada pension plan? He or she would get a reduced amount in CPP, but everybody does.

For example, a person receives \$3,000 in superannuation. If he or she applied for the Canada pension plan at age 60, then instead of, say, \$800, he or she would get \$600. He or she would still get both, the superannuation and the Canada pension plan, until age 65.

Here is what happens for those in the military or the RCMP.

The government sends the dreaded letter, and anyone in the military or the RCMP at retirement age knows about this letter. It is from their friendly government officials: "Congratulations on reaching age 65. If you were collecting CPP at this time, you would have received this amount of money." The letter informs them, for example, that they will keep the \$500 or \$600 in CPP that they presently receive, but the government is going to deduct more from their superannuation. They will actually lose money, but the government tells them not to worry because the old age security will kick in and should offset the loss of their Canada pension plan clawback.

I remind everyone that old age security, OAS, has nothing to do with defined plans. It comes from general revenues. Therefore, to say that something else builds that up is simply misleading. It is simply wrong.



*Private Members' Business*

For example, and this is true story, a gentleman in my riding who had 32 years of service with the RCMP had a stroke at the Halifax airport and was rushed to the hospital. When he woke up in the morning the doctor told him that he had good news and bad news for him. The good news was that he was going to survive his stroke. The bad news was that he had cancer. He was sent to London, Ontario for treatment. While he was there, he was told by his senior officials that, after 32 years of service with the RCMP, he would never work again. Then he was told to apply for CPP disability benefits because he was unable to work.

• (1110)

He said, "Okay, my pension is around \$3,000 from the RCMP." He thought that if he applied, he might get about \$800 in Canada pension plan disability benefits. He calculated that if he got both amounts, and if he survived his health problems, that he would be okay with \$3,800 a month. He was told, "Oh, Jim, we are so sorry, but that is not how the game is played." He would get the \$800 in Canada pension plan disability benefits, but it would be deducted dollar for dollar from his superannuation. He said, "Why am I applying for CPP disability benefits?"

That is the \$64,000 question. Why should he have to go through all these hoops, all the trials and tribulations and do all that paperwork when it is going to be deducted from his superannuation, not at 65 but when he is 52? What the government did not tell him is that when he turns 65, the Canada pension plan disability benefits will stop for him. Then he will go on a reduced CPP, which is clawed back from the superannuation.

If he dies, his wife will get 50% of the clawed back pension. That is the big thanks he gets for 32 years of loyal service to his country as an RCMP officer. This also applies to military personnel. It also applies to all federal and provincial public servants.

The reason we focus on members of the RCMP and the military is that they do not have unions or associations that could argue this at the bargaining table. In fact, PSAC and others have gently refused to support this legislation. I believe I know why. They are waiting to see if we are successful. I believe that they themselves may wish to argue this issue at a future round of bargaining.

The heroes of our country, the RCMP and military, should not have to suffer the financial indignation of clawbacks at age 65 or when they are disabled.

I would like to deal with a couple of myths. There are roughly 740,000 to 750,000 retired military and RCMP officials, along with their spouses.

This bill only affects about 96,000 of them. They would have had to have served over 20 years in order to get superannuation. Now, for the modern military personnel, it is 25 years. If they served five years in the military, this bill does not apply to them. Everybody knows that.

What I have also heard from some people is that the bill is retroactive. It is not. It will only come into force when it becomes law. Everybody is fully aware of this.

On the cost, we heard the former parliamentary secretary to the minister of defence once say in a committee that the bill would cost

about \$100 million. He is about right. To run this program every year is another \$100 million. People who serve for over 20 years in the military or the RCMP can get superannuation.

However, one thing they pay into, which by the way members of Parliament do not pay into, is employment insurance which, if they retire from the military, they cannot collect. We, as members of Parliament, do not pay into EI because we cannot collect it.

Can we tell the average person serving their country in an RCMP uniform or a military uniform the fairness of that little scheme? It is simply wrong.

And \$58 million of the superannuation could be easily transferred by cancelling the EI deduction and moving it over to superannuation. That is a simple deduction right there.

Also if they received more CPP money at age 65 or if they were disabled, they would receive less old age security at age 65. This would be another savings to the government.

The average person would get about \$200 extra a month. What would a disabled hero of our country, someone who is 65 years old, do with an additional \$200 a month? Well, that person might buy prescription drugs. He or she might buy heating oil, or take the granddaughter and grandson out for lunch. That money would be put right back into the economy, right back into the tax system.

The bill itself, when we look at the overall picture, is fairly revenue neutral. The most important aspect of this is these people are the heroes of our country, and they require financial dignity when they retire.

Why is it that we as members of Parliament, the leaders of this country, do not suffer this indignation, but they do? It is simply wrong. I have case after case of individuals showing me the letter, showing me how much they made at age 64, for 364 days, and then on their 65th birthday how much they are making. An awful lot of them lose money. It is tough enough in our economy now without them losing more of their income.

• (1115)

Why would we do this to them? Why did they not have any say back in 1965-66 when this was done behind closed doors? In the 1960s and 1970s, most of them were not advised this was happening. Although it was in the book they received, it was written in language that was difficult to read. I have to admit the government is correct, everyone leaving the military now is fully aware of what will happen to them if they become disabled or if their benefits are clawed back. However, it is simply wrong.



*Private Members' Business*

Here is the case of Roddie O'Handley, from Nova Scotia, a disabled gentleman from the RCMP. He was supposed to receive 75% of his pay from the RCMP, which he got. Great-West Life, the insurance company, was supposed to cover him for two years of long-term disability. He received that. After two years, Great-West Life said it would not pay him any longer, that he would have to apply for Canada pension plan disability benefits. He did that, and he received benefits. However, all the money he got from CPP, backdated for two years, had to be paid back to Great-West Life. This happens to everyone. He had to pay it all back. Then, of course, CPP was deducted from his RCMP superannuation. Therefore, he did not gain any money; he lost it.

He asked, "If I'm supposed to receive  $x$  number of dollars from the RCMP for my disability on my superannuation, why is it that they can deduct it from my superannuation?" He should not be losing money for being disabled. Those additional funds are required in order to help him move forward.

There are probably many veterans watching us debate this on the great channel, CPAC, right now. I encourage members of Parliament to talk to the Royal Canadian Legion, to the ANAVETS and to the Canadian Association of Retired Persons. They are fully supportive of this initiative.

At the end of the day, when the heroes of our country become disabled, or when they retire at age 65, they should not suffer receiving the dreaded letter.

We have already outlined in previous Parliaments, in committee, and everywhere else how this can be paid for. At the end of the day, when these men and women were on the front lines in the country and around the world, no one asked them how much money they made. When they had to pick up a bunch of kids off a vehicle that rolled down a ditch and all four of them died, no one asked them how much money they made. On the front lines in Afghanistan, or in World War II, or wherever they may have been, no one asked them that. Now we are asking them how much money they make and we are going to deduct it from them.

This is not to be confused with the SISIP clawback. That is something completely different. This is the annuity clawback, the pension benefit reduction at age 65 or when disabled.

Most of my colleagues on both sides of the House know that the disability part is a real sore thumb for them, and they want to fix it. We can fix that quite easily if we want to, and we can work on the other aspect later if they like.

The reality is, people who serve our country deserve no less. They deserve to be treated with the greatest of respect. As I have heard many times, they deserve to be treated with financial dignity when they retire. They serve our country. They allow us to have a good night's sleep. They look after our families. They really are the best of Canada. As Rick Mercer once said, "If you're going to take the very best of Canada and send them to hell on earth, you might as well give them the gold card when they're there".

As parliamentarians, we have the ultimate responsibility for the needs of these men and women all the way up to and including the headstone. They do not deserve to have those pensions clawed back.

It is simply wrong and unfair. It is not illegal, but it is immoral and wrong and it needs to change.

God bless all those who have served our country in the military and the RCMP, and their families. Lest we forget.

**Mr. Brad Trost (Saskatoon—Humboldt, CPC):** Mr. Speaker, I wonder if the member could circulate all his actuarial tables and numbers to all members of the House to help us understand where he is getting his numbers from. It would be most helpful.

This is a type of a bridge payment. My mother, who is a librarian, has received a bridge payment. She understands it is not a clawback when it ends, it was a special payment for a period of time. The member said before, in previous committee testimony when his former bill was up for debate, that it is not retroactive. Who would this impact? Would this impact members of the armed forces and RCMP who have previously served over 20 years and are retiring? Would it only impact people who are entering the RCMP and armed forces today, or is there some line in between? The retroactivity and a full explanation of how this legislation would impact that would be appreciated.

• (1120)

**Mr. Peter Stoffer:** Mr. Speaker, those figures and papers were submitted to committees previously, but I will present them to the member again.

The retroactivity would only apply to members of the military and RCMP who have served over 20 years and are retired. It would only apply to them. They have to have served over 20 years in order to receive superannuation. For example, if someone serves 10 years or 18 years, the bill would not apply. Someone who is 74 years old and is subject to a clawback, that clawback would cease the minute this bill became law. For someone who will become 65 years old in a couple of years, there would be no clawback because it would stop right then and there. For someone who is disabled, the clawback would immediately stop right then and there.

It would only apply to roughly 96,000 people who are currently retired or disabled.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I thank my hon. colleague for his long-standing commitment to ensuring that the veterans who do return home are treated with the respect they deserve and are able to live the lives they should be able to live.

I remember very well when the New Democratic Party brought the veterans first charter into the House in 2006. At that time, with the spotlight on the vote, every member on the government side supported the initiative. Yet I am seeing that when it comes time to follow through, they have been dragging their feet, particularly on this issue of the clawback.

We have received unanimous support from the legion. We have received unanimous support from the Canadian Association of Retired Persons, CARP. The Army, Navy and Air Force Veterans in Canada Association has supported it. The veterans are calling for action. The House has already voted on it. The Conservatives have been on the record as supporting ending the clawback.

Why does the member think the government is continuing to deny the RCMP and the veterans this basic right?



*Private Members' Business*

**Mr. Peter Stoffer (Sackville—Eastern Shore, NDP):** Mr. Speaker, if I may have your indulgence for a second to allow my hon. colleague for Timmins—James Bay to hear what the bureaucrats have said about this.

The projected accrued benefit actuarial cost method...was used to determine the current service cost and actuarial liability.

The actuarial liability with respect to participants corresponds to the value, discounted in accordance with the actuarial assumptions, of all future payable benefits accrued as at the valuation date in respect of all previous service at that date. For pensioners and survivors, the actuarial liability corresponds to the value, discounted in accordance with the actuarial assumptions, of future payable benefits.

Is there anyone in the House who understands the words that just came out of my mouth? No, but 96,000 members of the military know exactly what they mean. They see the clawback. They see the deduction. They make less money at age 65 than they did before. That is simply wrong.

**Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, I am delighted to rise in the House today, as many others on the government side have done before me, to add my voice to the debate on Bill C-215.

We have no dispute with the statement by the member opposite that veterans have served this country with distinction, with courage, with selflessness and that not just this government but every government has a duty to look after them. However, the suggestion that we are taking benefits away, or that the current system somehow has been unfair or lacking in enhancement is simply wrong.

One of the core commitments of this government has been to modernize the Canadian Forces so that our country has the military it needs to deal with the 21st century security environment.

Three years ago we released the Canada first defence strategy. Members are very familiar with it. It is a 20-year framework to revitalize the armed forces based on a long-term predictable funding framework. We are investing in new and renovated infrastructure for men and women in uniform. We are purchasing new equipment for our navy, army and air force. We hear about these procurement exercises in this House every week, almost every day.

We are not just focusing on our efforts to support serving members of the Canadian Forces; we are also making sure that veterans receive the support they deserve because, as the member opposite said, we owe them a great debt. Their service has shaped modern Canada. It has given our country a respected and influential voice in world affairs. It has helped to make Canada one of the safest and most secure countries in the world. For this, we cannot ever fully repay them, but what we can and must do is make sure our veterans' particular needs and those of their families are fulfilled. The government understands this, which is why over the last few years we have undertaken a number of initiatives to stand up for veterans, to enhance support for veterans.

We have increased access to employment insurance for military families. We have funded new community war memorials across the country. Recognition is incredibly important to veterans. We have put into place a veterans bill of rights, the new veterans charter and a veterans ombudsman.

The bill of rights ensures that each and every one of our country's veterans is treated with respect and dignity. The charter provides

veterans and their families with special programs and services to improve their quality of life. We have been very clear before the House and in committee about the investments this entails, some \$189.4 million over the next five years, a \$2 billion investment over the life of the program. The ombudsman, who operates at arm's length from government, plays a key role in raising awareness of the needs and concerns of veterans.

The government has also tackled issues related to veterans health and reintegration into civilian life.

There is now a one-time tax-free ex gratia payment to individuals with an illness related to the use of agent orange at CFB Gagetown, another issue that went unaddressed for too long. We have instituted a program that awards special financial recognition to Canada's atomic veterans.

We have launched the joint personnel support unit, a collaborative venture between National Defence and Veterans Affairs Canada. Twenty-four joint personnel support units and nine satellite units have been set up across the country to serve veterans, whatever their needs, especially the nearly 40,000 of them who served in Afghanistan and who are reintegrating into civilian life in Canada. They provide help to current and former CF members who want to get back to normal, and they ensure the services offered by National Defence and Veterans Affairs are coordinated and integrated.

A generous pension plan is one more way we are taking care of veterans. The government's contributions to the CFSA constitute around 75% of the total pension a member will receive, while the members' contributions account for around 25% of their pensions.

Part of each contribution goes to the Canadian Forces superannuation plan, or CFSP, while part goes to the CPP. Confusion sometimes results from the fact that benefits from the two plans are combined so that they blend seamlessly in order to meet the particular needs of Canadian Forces veterans. Let me explain to members what this means.

Unlike other Canadians, the vast majority of Canadian Forces members retire by the age of 60, before they become eligible for CPP. The CFSP contains a special provision designed to cover the gap between retirement and eligibility for the CPP.



When a member retires, the member immediately begins to receive the pension benefits payable to him or her under the CFSP. These consist of a lifetime benefit and a bridge benefit. The lifetime benefit continues from retirement onward. The bridge benefit, as its name suggests, is a special allowance only provided to veterans during the period between release from the forces and eligibility for CPP at the age of 65.

Once the member's CPP payments kick in, the bridge benefit ends. It ends because it has done what it was meant to do, by bridging the period between retirement and eligibility for CPP. In the vast majority of cases, a veteran's overall pension remains stable as the bridge benefit is fully replaced by the CPP.

● (1125)

Why do veterans not continue to receive the bridge benefit even after becoming eligible for CPP? Continuing the bridge benefit past 65 would ignore the added benefit provided by CPP after that age. It would undermine the intended purpose of the bridge benefit, which is to provide for the period between release and eligibility for CPP. In addition, pension plan contributions are currently based on the assumption that the bridge allowance will end at age 65 when CPP typically begins. This is what we can afford. It is fair. It is what the circumstances of service in the Canadian Forces require for us to do right by veterans.

The amount contributed by a Canadian Forces member and the government would have to rise significantly during a member's career in order for his or her bridge benefit to continue past the age of 65. This is a point that has not been fully reflected in the member opposite's comments. In return, Canadian taxpayers support veterans pensions to ensure that they enjoy a fair, stable and predictable retirement income throughout their lives.

The government believes this support for veterans is just and fair, but we also have a duty to be fair to taxpayers. Those who wish to see the bridge benefit extended beyond age 65 should remember that the money must come from somewhere: either member contributions would rise significantly, or taxpayers would supplement what is already a very fair and equitable pension practice.

The government stands behind serving retired members of the military. We are committed to making these investments. We have established new programs to support veterans. We want veterans to have a stable, predictable and equitable pension, but we are also committed to responsible stewardship of public funds. Bill C-215 would put a greater financial strain on serving members. It would increase their contributions and would require taxpayers to fund further the already generous pension benefit package enjoyed by Canada's veterans.

Our actuarial calculation is that the financial implications of the member opposite's bill would be a further \$8.3 billion investment. This is not something that is provided for in our fiscal framework. It is not something to which the member opposite has spoken. It is not the right way forward.

Let me simply remind the House that this bill is not being proposed by the member opposite in a vacuum. It comes in the context of a mission in Libya that has just ended for Canada. It comes in the context of unprecedented investments in procurement, a

veterans charter, provisions for which have been reflected in our budgets, one of which is scheduled for passage at third reading today.

I have some questions for the member opposite. Why stand in the House and raise false hopes on the part of veterans on this issue, when there is a fair, equitable, enhanced practice in delivering reliable pensions for Canadian Forces members? Why does he not support the real-life investments in equipment, training and human resources that the Canadian Forces require today, that this government has brought forward and that are the lifeblood of a successful army, Royal Canadian Air Force and Royal Canadian Navy?

Why is the member standing for the sixth time to bring this bill forward while continuing to oppose almost all aspects of the agenda relating to the Canadian Forces, its equipment, its people, its procurement, indeed its veterans, when this is an agenda that Canada and Canadians want? The agenda the member opposite has proposed is unaffordable and unfair.

● (1130)

**Hon. Mark Eyking (Sydney—Victoria, Lib.):** Mr. Speaker, I rise today to speak on behalf of Bill C-215, An Act to amend the Canadian Forces Superannuation Act and the Royal Canadian Mounted Police Superannuation Act.

When members of the RCMP and military along with federal civil servants receive a Canada disability pension, it is deducted dollar for dollar from the superannuation plan, which leaves many of our heroes, who served Canada, in financial hardship when they become disabled.

For all the people who work hard for us, with these clawbacks, there is an overall loss of income in the hundreds of dollars because the old age pension is far less than the maximum Canada pension.

I would like to give the House some facts I have received from the military and RCMP veterans associations. It states that the money is in the fund to help pay for these costs:

On January 1, 1966 the Canadian Forces employee's contribution was reduced from 9.3% to 7.5% of their gross rate of pay. Hence, a "So called" reduced Annuity contribution to our CFSA has accumulated a C.F. Military Annuity surplus funds of almost 20 billion dollars! It clearly indicates that contributions to the CFSA continue to be sufficient to pay for our benefits without a reduction clause.

The associations went on to say:

Today a Chief Warrant Officer with 38 years of service draws an Annuity smaller than that of a serving Private's income.

Veterans that retired in the year 1970-80 today receive an average annual Annuity of \$15,000. The annual average payment to annuitants was \$21,684 for the year ending March 2009.



### *Private Members' Business*

The 2009 annual pension report indicated that there were 86,406 Military annuitants. 39,192 were over the age of 65. The total annual cost of the CF Vets annuity benefits for the year 2009 was \$2.391 billion. The CF pension plan assets recorded for 31 March 2009 was 6.94 billion. More than sufficient funds to terminate the CPP benefit reduction program.

The Government of Canada enacted the Canada Pension Plan in 1965 and the plan came into force on January 1, 1966. Its intention was to provide another source for an income security program supplementing the old age security pension plan. Military/RCMP Veterans maintain that in 1966 the Government of Canada deliberately or otherwise imposed on them a gross injustice and unfairness by merging rather than stacking their Annuity and CPP contributions and benefits, and by not providing them with any other options.

This worthwhile initiative continues to grow! Over 112,500 Veterans have pronounced their support. To date 121 former Generals and Colonels have signed our Veterans petition. It includes the signatures of 54 former Generals and RCMP Superintendents.

The Dominion Command of the Royal Canadian Legion, The Army, Navy & Air Force Veterans in Canada, and the Air Force Association of Canada have adopted resolutions at their Annual General meetings in 2006 in full support of our Annuity initiative. We have also received support regarding our mission from numerous other Military Associations.

The Yukon and the Nova Scotia Provincial standing Committee on Veterans Affairs unanimously passed motions in support of the military/RCMP Veterans Annuity issue in 2011.

What I recently read is a transcript from the military and veterans associations. The point is that the money is there so it should not be clawed back.

● (1135)

I have received some other correspondence over the last couple of days. I want to quote, for this House, a correspondence that was in *The Ottawa Citizen* blog yesterday. It is from Robin Brentnall from Gambo, Newfoundland. In his letter to the Prime Minister he states, in part:

Last year, your Party voted against Bill C-201, "An Act to amend the Canadian Forces Superannuation Act and the Royal Canadian Mounted Police Superannuation Act (deletion of deduction from annuity)".

Your government keeps repeating that they "Support Our Troops and Veterans", yet you vote against a Bill that will assist all Soldiers, Police, and Veterans with ceasing the deduction from annuity, a deduction that was never asked for nor voted on. The Military and RCMP don't have a Union [as a member stated previously in the House] nor the ability to vote on whether they want a deduction or not.

This letter goes on to state:

By following the same "slap in the face" that Soldiers, RCMP, and Veterans received last year from you and your Party, you will confirm to Canada that you DON'T Support Our Troops and Veterans, thereby affirming that you do not respect what they have done to protect this country from those who would use their Dictatorships to rule with an iron fist.

It then continues:

Mr. Prime Minister, you can fix this wrong. Do not use our "fragile" economy to refute this Bill. If our economy is so "fragile", why would your government continue on with it's spending on expensive jets, jails, and Corporate Tax Cuts? Why continue to send our troops into battle when we can't afford it? Why continue to buy hockey tickets for your RCMP guards with taxpayers' funds so that you can watch a hockey game, yet deny the same RCMP guards the deduction that they need that you voted against last year? Why allow your Ministers to order Air Force pilots at taxpayer expense to get to the airport on time but deny those same pilots the deduction that you voted against last year?

I will continue reading this letter but it states how hypocritical the government and the Prime Minister are. It goes on to say:

We served this country with pride, respect, and honour. The least your party can do is have the dignity to fix this deduction by voting "Yes" [on this bill] and truly supporting our troops, police, and veterans. To do anything less will confirm what is already thought: The Conservative Party of Canada does not Support Our Troops.

I have another letter here from Michael Gregory from Tatamagouche, Nova Scotia. The letter is an email sent to the Minister of National Defence. I will read some parts of this correspondence that pertain to Bill C-215. He states, in part:

On Monday, 21 November at 11 a.m. Bill C-215 will be debated in the House of Commons. This bill will eliminate the shameful and unfair claw back of retired Canadian Forces and RCMP service pensions.

I recently spoke with a retired RCMP veteran who spent 40 years in the RCMP. He told me he received his first old age pension cheque in August and because of the claw back his pension cheque went up \$26. It is my understanding that the federal politicians pensions are not subject to the same humiliation [as was quoted earlier today].

I read your newsletter for November and it is very touching. The following is a quote from that newsletter.

At the end of this letter to the Minister of National Defence, he writes:

"On Remembrance Day, when Canadians from all corners of this great country join together in silence, may we fill those empty moments with the thoughts of gratitude and compassion for the men and women, and their families, who have given so very much for the causes of freedom, democracy, human rights and the rule of law. Canadians are eternally grateful for the sacrifices of those who serve to protect us".

These quotes were from Michael Gregory and Robin Brentnall.

● (1140)

Cape Breton is one of the highest areas of recruitment for military and police services across this country. I am an honorary Cape Breton Highlander and I can appreciate the sacrifices of our men and women who maintain our peace. This is also true for police officers in our region.

When Bill C-215 comes up for a vote, I would ask all members of Parliament to vote in favour of it. They owe this to the brave men and women who serve our country.

[Translation]

**Ms. Annick Papillon (Québec, NDP):** Mr. Speaker, I am pleased to rise today in the House to speak to Bill C-215, An Act to amend the Canadian Forces Superannuation Act and the Royal Canadian Mounted Police Superannuation Act (deletion of deduction from annuity).

This bill is very important to my colleague from Sackville—Eastern Shore. For over six years now, he has been working, with the support of hundreds of thousands of army and RCMP veterans from across the country, to ensure that the Government of Canada provides compensation for the reduction in pension benefits that applies to our veterans and members of the RCMP. My colleague told me that over the years he has met with veterans and former RCMP members who have spoken about a persistent problem: their pension is reduced at the age of 65 and the Canada pension disability is reduced.

To reiterate what my colleague already explained in more detail, it all started in 1965-66, when the Canada pension plan was created. The government proposed what it called a blended plan, because at the time, people had contributed to a retirement pension. When the Canada pension plan was created, the government said that its purpose was not to increase contributions for men and women in the armed forces or for members of the federal and provincial public service. The government therefore blended the program and determined how many people had to contribute to the Canada pension plan and a retirement pension. However, this was done without the consent of the men and women of our armed forces and the RCMP, and without their full understanding of the impact of these new measures.

In the past, the government has asked why we are giving priority solely to veterans of the Canadian Forces and the RCMP given that all sectors of the federal public service are affected by this clawback. It is important to recognize that the men and women of the Canadian Forces and the RCMP play a different role from all other members of the country's public service. They have an enormous responsibility. They are ready to risk their lives to defend Canadian ideals and to protect our country. They also ensure that our communities are safe. I have the utmost respect for the incredible work done by our men and women in uniform.

Every federal government worker is affected by this pension clawback, except senators, judges and members of Parliament. The pensions of the men and women of the armed forces and the RCMP are clawed back, but this does not happen to members. It is unacceptable that members, senators and judges are not affected by this rule, but that the men and women who protect us are.

If the government is concerned about how much this measure would cost, the hon. member for Sackville—Eastern Shore has already broken it down. He has been looking into this issue for over six years. During that time, he has had the opportunity to discuss it with pension experts across the country. This bill presents a very interesting proposal, and we have a plan to minimize additional costs for taxpayers.

As the member for Sackville—Eastern Shore has already explained, if veterans are allowed to keep both of their moneys at age 65 or on disability, they would receive less old age security and guaranteed income supplement. Including old age security and the guaranteed income supplement in the argument that they do not lose any money is simply incorrect. Those payments come from general revenues, not from defined benefit pension plans. There is nothing stopping the government from cancelling the employment insurance deduction, taking that amount and putting it in the veterans' superannuation. That would cover the cost of the bill.

A committee review of Bill C-215, as introduced by my colleague, would also be a logical follow-up to the report adopted by the Standing Committee on Veterans Affairs in June 2010. That committee report was on the living new veterans charter. Here is what the committee report had to say about the uncertainty surrounding veterans' standard of living at the age of 65:

Committee members expressed concern about the lack of information that would enable them to anticipate the situation of a seriously wounded veteran upon reaching the age of 65. The earnings loss benefit stops at the age of 65, and the permanent impairment allowance is only paid under exceptional circumstances. Consequently,

### *Private Members' Business*

all that is left is the Canada pension plan or the Quebec pension plan and old age security. Since the earnings loss benefit does not grant entitlement to make contributions to pension plans, it is reasonable to expect a significant drop in income for injured veterans who are not receiving a substantial pension from the CF.

• (1145)

My colleagues and I are committed to working very hard on behalf of Canada's veterans, and we will fight not only to protect their pensions but also to invest in their well-being. I know that many members here in the House are willing to do a lot more to enhance the quality of life of those who fought for us.

That is why I would also like to take this opportunity to say that we also need to take care of our veterans' most recent health concerns. The intensity of the combat operations in Afghanistan took its toll on front-line soldiers both in the field and on their return home. The government needs to be proactive when it comes to the mental and physical health of Canadian soldiers and veterans. More support is needed for veterans making the transition to work outside the military, as well as support for caregivers and other family members. Better follow-up with our veterans is also needed after their service, since post-traumatic stress disorder and other operational stress injuries may manifest themselves many years after their period of active service. We are all very concerned about this issue and we will continue to work for Canada's soldiers to ensure that they get the services they need.

To understand veterans' issues, we have to take the time to speak with veterans and their families. I hope the Conservative MPs will at least go visit their local legion branch and meet with veterans. They should talk to them and ask them what they want. They should talk to them about Bill C-215. Then the Conservative MPs might realize that the vast majority of military personnel, RCMP officers and their families want to eliminate the clawback of their pension by the government.

A few years ago now, a number of veterans' groups, including the Royal Canadian Legion and the Army, Navy and Air Force Veterans in Canada, unanimously adopted resolutions in support of the initiative of the hon. member for Sackville—Eastern Shore. What is more, 110,000 people from across the country have signed a petition in support of this bill. Among the signatories we have Major-General Lewis MacKenzie and Senator Roméo Dallaire. Nevertheless, this government continues to deny that there is a problem.

On May 5, 2010, the vote on bill C-201—to which Bill C-215 is identical—was successful. Unfortunately, the Speaker of the House at that time subsequently declared that Bill C-201 could not proceed because the Prime Minister had refused to ask for a royal recommendation. However, the Prime Minister has said in the past that, when a bill is passed by a majority of members democratically elected to the House of Commons, this government must honour the request.



*Private Members' Business*

I would also like to remind this House that in November 2006 the NDP members proudly voted in favour of the “veterans first” motion, a five point motion that would have helped former RCMP officers and their families. Unfortunately, the Conservatives were fiercely opposed to the motion.

Thus, we are giving the government another opportunity to respect not only the democratic process, but in particular, to honour the sacrifices made by veterans of our armed forces and the RCMP. Finally, we should at least study the bill in committee, which would afford us the opportunity to call experts and to have an honest, open and thorough debate about this matter.

I am proud to defend this bill today because it provides an opportunity to address an injustice that has gone on for too long. No veteran or RCMP officer, nor their families, should live in poverty after serving their country. For that reason, we must put an end to this situation today.

In conclusion, I would like to highlight the exceptional work of my colleague from Sackville—Eastern Shore and thank him for it. For years he has listened to veterans, visited them and tried to understand and summarize their proposals. That is what is truly important—to listen and to be grateful. Bill C-215 would be a great way, so soon after Veterans' Week, to permanently support and recognize what veterans do for us every day of our lives.

● (1150)

[English]

**Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP):** Mr. Speaker, I rise today to speak to Bill C-215, which, earlier today, I had the honour of seconding.

The bill would end pension clawbacks from our military and RCMP veterans and from those with significant disabilities. The bill in its first incarnation was introduced by the member for Sackville—Eastern Shore in 2005 and he has re-introduced this bill in each of the Parliaments since then. I thank him for doing that. It has been part of the member's work that he has taken on this House as being a champion for veterans in all areas. I thank him and congratulate him for the work that he has done.

The members on the other side like to say that there has been some kind of vacuum on this bill. I just want to point out that its previous incarnation, which came forward for its first debate in March 2009 and then came back in May, was passed by the House of Commons by a vote of, I believe, 139 to 129. It then went off to committee where there was a toing and froing and machinations. It came back to the House without what is called a royal recommendation.

Stripping away all those technicalities, what it means is that the government did not support the bill. It argued that it was necessary to expend public funds and, therefore, the government would not let it proceed further.

I must say at this point that, when the Conservatives took over government from the Liberals, I thought there would be one thing that they would be better on than the Liberals have ever been and I thought that would be on the treatment of the military and veterans. On some fronts, yes, it is true that there have been some improvements, but this case is one, unfortunately, where the veterans

have not received the fair treatment that I thought a Conservative government would have given them.

I will not review the list of things that I see right now that are a crisis for veterans but I do need to mention what is taking place right now with cuts to Veterans Affairs. The government has proposed taking \$223 million away from the Department of Veterans Affairs and says that somehow this will not impact services for veterans. It is very hard to see how that could possibly happen.

On this side of the House, the NDP has called for exempting Veterans Affairs from the government's program review and to maintain the spending on those who served our country so well for so many years.

Now, rather than continue down this road talking about the deficiencies in treatment of veterans, I would like to treat this as an opportunity for all of us to do better by veterans, both military and RCMP. We need to remember that we are talking about those who have served more than 20 years for their country.

This brings us to one of those myths, the myth about the number of people affected by this bill. It is not hundreds of thousands as the other side likes to imply. It is not that total of more than 700,000 retired military and RCMP veterans. It applies only to the 96,000 who retired with over 20 years of service and, of course, to future retirees who will then have 25 years of service.

The bill is not proposed to be retroactive, which leads to the related myth about costs. At one point, even the government admitted that the real cost would be about \$100 million a year. The member for Sackville—Eastern Shore has certainly shown us how this could be a revenue neutral process. Chief among those measures to ensure that would be true is to stop charging the premiums for unemployment insurance, which members of the military and the RCMP could never collect, and shift those premiums over to cover the cost of this fair treatment for veterans with such long service.

The second point would be to focus on the net cost to government. Certainly, by increasing pension payments, this would lead to lower costs for governments in many other areas. Both federal and province governments would save money by paying these extra pension benefits for which members of the armed services and the RCMP have already paid through deductions off their paycheques.

When the government says that it would be necessary to raise contributions to cover future costs, I am not convinced. The facts say otherwise. And, when I talk to veterans in my riding, they are not convinced.

I will now talk about some of the many veterans from whom I have heard. My friend, Doug Grant, is the manager of the Esquimalt Legion Dockyard Branch No. 172. Doug gave me permission to tell a little bit of his story. He started his story by asking me what I was doing in 1962 when he was serving in the Canadian navy in the Caribbean as part of the Cuban missile crisis that threatened armed confrontation and even nuclear war.

I stopped Mr. Grant to point out that I was in elementary school. However, since that time I have studied Canadian history and I have also been a participant in international human rights missions. I know from the field, both in East Timor and Afghanistan, the great dangers and sacrifices that the members of our military put forward on our behalf.

• (1155)

I know that many veterans in my riding, who continue to write to me and call for an end to this cutback, are not asking for something they do not deserve, they are not asking for something they have not earned and they are not even asking for something for which they have not paid.

I will read one last quote. I will not name this resident because I do not have his permission. He said, “As a resident of Colwood and a current serving member of the Royal Canadian Navy, I ask that you support Bill C-215. ... And now after contributing independently to both my superannuation and CPP for 34 years, I will have both reduced to the equivalent of my military pension upon turning 65. I know the country has huge financial demands but I wish the reigning government would respect their members of the military and RCMP and not use them like a piggy bank and not try to ignore the surplus in their pension funds”.

I call on members of all parties in the House, because this is a private member's bill, to vote their conscience and vote in favour of those who have given so much service to our country, more than 20 years in the military and the RCMP, correct this injustice and immediately end this clawback to their pensions.

• (1200)

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I am very pleased to rise on this important issue. I compliment my colleague from Sackville—Eastern Shore, who has established a reputation in the House over many years of working tirelessly on behalf of veterans and RCMP members, the front-line service workers. It is one thing to put people in harm's way, it is one thing to be there when we are sending them off and have the media watching but then they come home and retire. We see all too often that a black hole appears.

I think of a widow in my riding whose husband never asked for his pension. He served his country, damaged his ears and legs serving overseas and came home. When she was too sick to live in her house, she finally asked for her pension and was told that her pension was \$1.30 a month. She could not buy a Tim Hortons coffee for that. Yet, her husband had served with distinction and put his life and health on the line. These are things that happen. It is not to blame one government over the other but to say that when we make a commitment we need to follow through.

### *Private Members' Business*

The issue of the clawback is essential. In 2006, all members of the House stood to support the New Democratic Party on our first veterans motion that laid out the principles and steps needed to ensure that, whether people served their country in the military or in the RCMP, they would be protected and have the things they needed. This was our covenant to the men and women who put their lives at risk. Every member of the House stood and agreed to those principles in that covenant. However, five years later, we are still having to tell the government that it made a promise to those people, they heard it make that promise and they have not seen it deliver on that promise.

The issue of the clawback is one of the areas where the government has failed veterans. It told them one thing and did not deliver. When it supported the veterans first charter, it said that it would happen. Veterans, the Canadian Legion, the Air Force Association and CARP, the Canadian Association of Retired Persons, heard that message and were expecting action but they are not seeing it, which raises many questions.

This is not a huge ask. My colleagues in the Conservative Party act like it will bankrupt Canada if they actually need to live up to their obligations. It is the kind of rhetoric we get all the time from the same people who cannot wait to have their pictures taken with the troops for their press releases. However, when the troops come home and are looking for their pensions, they are told that if the government actually had to lived up to it, it would go bankrupt.

**Hon. Peter MacKay:** Why don't you vote for them, then?

**Mr. Charlie Angus:** The defence minister is sitting over there heckling. It shows the level of commitment—

**Hon. Peter MacKay:** Just once so far.

**Mr. Charlie Angus:** —that they are heckling over an issue like pensions.

Can the folks back home imagine that that member stood in the House of Commons and supported the veterans first charter and then comes in here and heckles over the fact that the New Democrats are trying to get a fair deal for the people who serve the country. One must ask oneself what it is that drives that man to have his picture taken with the troops. He is always with them. The only person who has had his picture taken more than that member often is George Bush. However, when it comes to standing up on the issues of pensions, clawbacks and ensuring that the widows get a fair deal on their husbands' pensions, we hear the ridicule and attacks. It needs to change.

**The Acting Speaker (Mr. Barry Devolin):** The time provided for the consideration of private members' business is now expired and the order is dropped to the order of precedence on the order paper. The hon. member for Timmins—James Bay will have six minutes remaining when the House returns to this matter.



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● (1205)

*[English]***KEEPING CANADA'S ECONOMY AND JOBS GROWING ACT**

**Hon. Peter MacKay (for the Minister of Finance)** moved that Bill C-13, An Act to implement certain provisions of the 2011 budget as updated on June 6, 2011 and other measures, be read the third time and passed.

**Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC):** Mr. Speaker, I would like to split my time with the member for Nipissing—Timiskaming.

**The Acting Speaker (Mr. Barry Devolin):** In order for the hon. parliamentary secretary to split her time, unanimous consent is required. Is there unanimous consent to allow her to split her time?

**Some hon. members:** Agreed.

**Mrs. Shelly Glover:** Mr. Speaker, I appreciate the opportunity to speak in the House today at third reading of the keeping Canada's economy and jobs growing act.

Before continuing, I thank the House of Commons finance committee for its timely consideration and adoption of this important legislation. It represents an ambitious and positive response by our government to today's economic challenges, an approach that gives Canadians confidence that we are on the right track. Canadians know that our government is focused on what matters, and that is jobs and the economy.

*[Translation]*

Both the IMF and the OECD agree that Canada will have one of the fastest-growing economies in the G7 in 2011 and 2012. Approximately 600,000 net new jobs have been created since July 2009, and over 90% of these new jobs are full-time. Canada has the highest rate of employment growth in all the G7 countries. While the government recognizes that there are still too many Canadians looking for work, Canadians are doing relatively well when the difficulties other countries are having are taken into account. We must continue to implement our low-tax plan to protect the economy and create jobs, and this legislation will help us to meet our objectives.

*[English]*

Our plan has given Canadians more flexibility to improve their quality of life, even when times are tough. It leaves more money where it belongs, which is in the pockets of taxpayers. That is why the keeping Canada's economy and jobs growing act would provide targeted tax relief where it would be needed most to help Canadians.

*[Translation]*

For example, volunteer firefighters play a critical role in our communities and often put themselves at great risk to keep their neighbours safe. Almost 85,000 volunteer firefighters provide their services to protect the lives and property of Canadians living in both urban and rural communities across Canada. This bill recognizes their courageous service by introducing a new 15% tax credit on an amount of \$3,000 for volunteer firefighters who perform at least

200 hours of service for their communities a year. Eligible volunteer firefighters who currently receive honoraria in respect of their duties will be able to choose between the new tax credit and the existing tax exemption of up to \$1,000.

*[English]*

As a member of the finance committee, I have had the opportunity to hear from a number of witnesses as we have studied the bill. Indeed, John deHooge, fire chief for the city of Ottawa, told the committee:

"Canada's Fire Chiefs have been advocating for tax relief for the Volunteer Fire Service since 2003. The proposal adopted by the Government of Canada in Budget 2011 was the proposal that the CAFC had presented to the federal government...In our view, tax relief for Canada's volunteer firefighters is a key part of the solution to addressing the recruitment and retention challenges facing Canada's Volunteer Fire Service.

We would like to recognize the government for its commitment to pass this initiative into law...This measure will help with the recruitment and retention of volunteer firefighters across the country, which will in turn help protect Canadians and our communities".

I want to take a moment to thank him for his service. I know he has put many decades into protecting the interests of Canadians.

This goes to show that our government is actively listening to the concerns of Canadians. While the Liberals and the NDP voted against this program, the Canadian Association of Fire Chiefs have told us that this is a crucial measure to ensure the retention of volunteer firefighters, which will keep Canadian communities safe.

That is not all we have done to support Canadian communities and the families that sustain them. The keeping jobs and economy growing act recognizes the often daunting expenses facing parents trying hard to provide their children with the best possible opportunities for growth and development.

The arts are an important part of a well-rounded education that all too often are out of reach for hard-working families. Recognizing this challenge, the legislation contains a children's art tax credit, which provides parents with up to \$500 per child in eligible fees for programs associated with arts, cultural, recreational and developmental activities that are not eligible for the existing children's fitness tax credit.

I am especially pleased to tell Canadians and members of the House that the age limit is extended to age 18 for children eligible for the disability tax credit and provides an additional \$500 to acknowledge the additional costs of these programs for children with special needs. This measure builds on our government's strong record of helping parents and their children.

The 2007 children's fitness tax credit, which provides tax relief for fees paid for children's physical fitness activities, has already become a very big hit. Close to 1.4 million children benefit from the children's fitness tax credit each year. I am pretty confident that the children's arts tax credit will have the same positive impact on Canadian families.

So far Canadian parents, who pay hundreds of dollars for music lessons each year across Canada, have expressed their support for this program, not to mention the local small businesses that provide the lessons. It is really helping to give an extra push to encourage the arts.

In the words of Sam Mills, an Edmonton dad, "I would do it anyway but maybe definitely we would do it for the whole year instead of just half the year".

Listen to Regina to what music teacher, Bob Mossing, whose School of Music will really be positively impacted by the credit, has to say, "This is could be the life saver of our program".

The next phase of Canada's economic action plan provides even more support for families. Overall, families have gained from the tax relief our government has provided to all Canadians since 2006. Those tax relief measures include the GST reduction to 5% from 7% and popular personal income tax relief measures like the tax-free savings account.

● (1210)

[Translation]

Through our strong record of tax relief, the average family saves over \$3,000 a year; however, our Conservative government recognizes that some Canadian families need more help.

That is why the next phase of Canada's economic action plan includes a number of key measures to help Canadian families, in particular, a 15% family caregiver tax credit on an amount of \$2,000 for caregivers of all types of infirm dependent relatives, including, for the first time, spouses, common-law partners and minor children.

I am proud that caregivers support this measure. The Canadian Home Care Association said, "In introducing tax credits for family caregivers and improving the medical expense tax credit, the federal government is responding to the reality that Canadians want to remain independent at home for as long as possible."

In conclusion, the Keeping Canada's Economy and Jobs Growing Act helps to support Canada's economic recovery. Our government is focusing on the issues that are important to Canadians: job creation and economic growth.

[English]

I urge all members to support this vital legislation in order to ensure the success of our economic recovery for Canadians and their families. I look forward to questions from my colleagues across the way.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, the government implemented this through a ways and means motion a few months ago. What the member has said, although I respect her right to speak in the House on the bill, is simply not true. What we have seen over the past few weeks is

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considerable economic hardship for an increasing number of Canadian families. In the month of October, as members well know, 72,000 Canadian families lost a full-time breadwinner. That is a catastrophic figure. The finance committee was told that by some of the economists who visited a few days ago. They said that the loss of jobs was at recession levels.

The government has created less than 200,000 jobs since May 2008. The unfortunate fact, as members are well aware, is the labour market actually grew by 450,000 job seekers. Therefore, the government is actually 250,000 jobs behind from just standing still.

Given all that, will the government change its orientation from what is an austerity budget, which would cut services from middle class and poor Canadians, and rethink its economic agenda, because it is clearly not working?

● (1215)

**Mrs. Shelly Glover:** Mr. Speaker, unfortunately my colleague is absolutely wrong on all counts. He talks about catastrophes. If we look at what has happened since the recession, had the government not put in place all these measures that helped to produce jobs in our country, measures like the accelerate capital cost allowance that helps businesses create jobs, there would not have been 600,000 jobs created.

If it were up to the NDP, there would have been major catastrophes. It would have taxed corporations \$10 billion more, which would have cost hundreds of thousands of jobs. It would have increased the GST from its current 5% to 7%, or even more. That would have cost Canadians more money for everything, from groceries, to clothes, to all of their personal needs. If we had listened to the NDP, we would be looking at a doubling of the CPP. Even for the Canadian Federation of Independent Business, which is a big producer, representing small businesses that create jobs, its CPP costs would have increased by 60% to 70%. It would have been catastrophic to our country and we would never have survived the way we have.

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I listened closely to the member's remarks. The fact is, and it states so in a November 17 article in the *National Post*, that federal spending has been up 22% since the Prime Minister took power. However, the spending watchdog says, "the large increase in expenditures over the past five years can be attributed to the economic downturn but also to a minority Parliament for most of that time", meaning the Conservatives are trying to buy an election. "You've had a lot of instability and historically, [governments] spend like a drunken sailor in minority", says the federal director of Canadian Taxpayers Federation.

Given all that spending, what worries me is that the gap between the rich and the poor is increasing, and it shows through in everything the government does.



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The member went on at great length about the volunteer firefighters tax credit, but it is not a refundable tax credit. If a person does not have money, then the tax credit does not apply to him or her. Why not be fair? Is a firefighter who is—

**The Acting Speaker (Mr. Barry Devolin):** Order, please. The hon. parliamentary secretary.

**Mrs. Shelly Glover:** Mr. Speaker, I am not going to thank my colleague for the question this time because it is about the third time the Liberals have asked this very same question. It just brings up the hypocrisy of that party. The hypocrisy exists because firefighters have been asking for years to have this very tax credit put forward. The 13 years that the Liberals were in power, they did absolutely nothing to address the concerns. In fact, the fire chief, who was in committee, said very clear this was exactly the tax credit for which they asked. Where the Liberals denied them year after year of any kind of tax benefit, not a single measure, we are doing it exactly the way they asked us to and we are going to be proud of it.

**Mr. Jay Aspin (Nipissing—Timiskaming, CPC):** Mr. Speaker, I am pleased to speak to Bill C-13 and sharing my time with the parliamentary secretary this morning.

It is a privilege to contribute to this debate and speak in support of Bill C-13, keeping Canada's economy and jobs growing act, which is the next phase of Canada's economic action plan. This bill will support Canada's economic recovery and promote job creation. It will support communities and invest in education and training. It will help Canadian families and respect their hard-earned tax dollars.

The bill is a low tax plan for jobs and economic growth. It is a continuation of the sensible fiscal policy that remains at the heart of our Conservative government's economic agenda. Our government is focused on what matters to Canadians, creating jobs and promoting economic growth.

While we see so much financial instability in governments around the world, Canada has become a leader on the international economic stage. We have the strongest job creation record in the G8. Close to 600,000 net new jobs have been created since July 2009. We have renewed our triple A credit rating, and according to the International Monetary Fund, the IMF, we will have the strongest economic growth in the G8 and G7 over the next two years. *Forbes* magazine has ranked Canada as the best country in the world to do business. I can assure the House, one of the most important things to the people of my riding is to be gainfully employed.

The Canadian economy is intimately connected with the economies of the world and we must remain aware of the fragile economic situation in Europe and the United States. We are not isolated from potential economic problems that remain outside our borders. That is why we must stay the course and implement the next phase of Canada's economic action plan.

Bill C-13 will promote Canadian job creation and economic growth. The hiring credit is precisely what small businesses have been calling for. The one time credit of up to \$1,000 will be the catalyst for additional hiring, not only in my riding of Nipissing—Timiskaming but for small businesses throughout Canada.

Not only are we creating new jobs, we are enhancing programs to help businesses keep the workers currently employed through

initiatives such as the work sharing program, the wage earner protection program, and the targeted initiative for older workers.

Small businesses are the engine of job creation in this country and our Conservative government is delivering results to them. Our Conservative government is also supporting the Canadian manufacturing sector. We are extending the accelerated capital cost allowance for two years, so that companies can write off investment in manufacturing and processing machinery and equipment. This will allow them to grow their businesses and to procure top of the line equipment that will bring them to the forefront of international technological innovation. In an era of economic uncertainty, this tax measure gives manufacturers the confidence to invest in their future.

Bill C-13 is also doing more to support local communities. We are putting into law a permanent annual investment of \$2 billion in the gas tax fund in order to provide predictable long-term infrastructure funding for municipalities. This is something municipalities have been asking for year after year. They want to know they have the source of funding to do the many projects that are necessary to provide the infrastructure for continued economic growth. Making this investment permanent and annual will benefit the many towns and communities in my riding of Nipissing—Timiskaming and in the ridings from coast to coast to coast.

Our Conservative government is also enhancing the wage earner protection program, so that workers are covered and protected from employer bankruptcy and receivership. This is a program that has been very well received and utilized.

● (1220)

Our Conservative government also recognizes the economic benefits that come with investing in education and training. We are supporting universities, colleges, skilled trades and apprenticeship programs.

This legislation forgives student loans for new doctors and nurses in underserved rural and remote areas. A portion of the federal component of their Canada student loans, \$40,000 for doctors and \$20,000 for nurses, will be forgiven so that these doctors and nurses can practice and support the rural communities of our country that need them the most.

This will ensure that rural and remote communities, such as those in my riding of Nipissing—Timiskaming get the adequate medical services they deserve and require.

This is a plan that will support Canada's economic recovery and promote job creation. It is a plan that will support communities and invest in education and training. It is a plan that will help Canadian families and respect their hard-earned tax dollars.

This is a low tax plan for jobs and economic growth, and I support it.

• (1225)

[Translation]

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I listened carefully to the hon. member's speech.

As I have already said in this House, job creation is of great concern to me.

The government can trot out raw numbers and brag about them, but the fact remains that when we take a closer look at the numbers, there are some disparities. The raw numbers do not necessarily reflect the quality of those jobs. When I look at the job creation measure for small businesses in the government's bill, I see another measure that, unfortunately, is missing the mark. Instead of applying to every job created, this measure can apply to companies that fail to create any jobs and just tweak their employment insurance contributions.

I would like the hon. member to tell me why the government is not trying to integrate our job creation proposal into this bill, because it would apply to every job created, instead of allowing companies to get money illegitimately.

[English]

**Mr. Jay Aspin:** Mr. Speaker, the hon. member cannot get picayune about this. We have to look at the broader economic picture and our record. The proof is in the pudding: 600,000 net new jobs have been created.

The IMF indicate that we are among the best in the world. *Forbes* recognizes that Canada is the best place to do business. The NDP plan would simply add \$10 billion in taxes to Canadians. If we were to follow that course, we would be in the shape of Greece, or possibly Italy or Spain.

Clearly, our plan is the right plan and our plan is working.

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, the parliamentary secretary who spoke previously took a lot of liberties when she was responding to questions. The Liberal Party has always stood for volunteer firefighters. I had private members' bills in the House many times on that issue.

I have to ask the member who just spoke, is this Conservative member suggesting, on the volunteer firefighters bill, that a volunteer firefighter who does not have the income, who does not meet the threshold, is less deserving of a refundable tax credit than someone with money?

If the service is done, a firefighter deserves the refund. Is the member saying that lower income volunteer firefighters should be disregarded, that their service is not as valuable as those with money? Is that what he is saying?

**Mr. Jay Aspin:** Mr. Speaker, all volunteer firefighters deserve this tax credit. The hon. member said he had a bill. I guess his caucus did not support it.

As I mentioned, this is part of a full package to get our economy working. It is working. The first phase of this work generated all kinds of jobs. It generated accolades from all over the world. We cannot get picayune on this.

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Our plan is working. It is the right plan for Canadians. We are proud of our plan and we are going to move on to the second phase of Canada's economic action plan.

• (1230)

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, I would like to begin by referencing the previous member's comments about the economic action plan.

No one on the Conservative side of the House should deny that the job loss figure that we saw in the month of October of 72,000 full-time jobs should not be a source of worry. That eviscerated the Canadian economy, yet Conservative members have been patting themselves on the back.

The reality is that the jobs that have been created over the last three years under the Conservative government's plan actually pay much less than the jobs that the Conservatives lost. Tragically, we are now seeing an acceleration in the number of jobs lost. Some 72,000 jobs were lost in a single month. That is more than 2,000 jobs a day and we are seeing a continuation of that in the month of November.

The Parliamentary Budget Officer talked about 100,000 jobs evaporating out of the Canadian economy in the coming months. The Governor of the Bank of Canada talked about a huge slowdown. The government must be looking through rose coloured glasses and pretending that everything is just fine. That is simply not true. Conservatives who doubt it should talk to small business people and to workers right across this country from coast to coast to coast.

Canadian families are worried. They are dealing with historic debt loads that we have not seen in our country's history. We are talking about the loss of tens of thousands of jobs in the last few weeks. Nearly two million Canadians are looking for work across this country. One million Canadians have to rely on food banks to make ends meet. Maybe everything is fine and rosy in the Conservatives' Ottawa bubble, but the reality is that Canadians need action. Our role in the House is to put forward powerful solutions to deal with the economic malaise that we are experiencing.

I need to comment on the government's actions around Bill C-13. The budget bill is a 650-page document. It is not the same budget bill that was presented last spring, even though the government does have ways and means orientation on it. We are talking about a 650-page bill and the government's refusal to accept any amendments.

Beyond the government's refusal to accept any amendments, last week it invoked closure. The Conservatives will rise and say it was not closure but time allocation. It is the same thing. They should not try to play with Canadians in that respect. They invoked closure before one second of debate could happen in the House on amendments that had been brought forward.



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The Conservatives did allow some discussion on one amendment and then they used their sledgehammer and removed any possibility of even one second of debate on other amendments on a 650-page budget bill that most Conservative MPs have not read.

The government has refused to allow the kind of debate that has been a democratic tradition in this country since well before 1867, even prior to Confederation, but certainly in the House of Commons since 1867. We have not seen closure used to this extent. The government has used closure 7 times in 35 sitting days. It is a record that even the Liberals, at the height of their arrogance, were unable to match. It is appalling.

To tell Canadians that they have no right to hear debate on a 650-page budget bill and that they have no right to hear what amendments were brought forward on the budget bill is doing a disservice to Canadians and showing profound disrespect for Canadians from coast to coast to coast. That really is the setting of what the government has done around Bill C-13.

When the Conservatives campaigned last spring, they put on their sweater vests and talked about moderation and about listening to Canadians. They said that they would be a moderate government.

• (1235)

What has happened since May 2 is absolutely the contrary. The Conservatives use closure in a way that we have never seen in the long democratic tradition in this country. They shut down debate not only on a wide variety of bills that could have been better served with more debate and discussion in the House of Commons, but on budget bills as well.

It is a very disturbing development. Last spring the government promised moderation and respect for democratic tradition. However, now that we are getting into the crux of the matter with a vigorous debate on behalf of the 102 members of the NDP official opposition, the government resorts to closure every single time. Why is that?

The government is resorting to closure because it loses the debates. As we bring forward our ideas, we talk about the content of what is being brought forward by the government. The Conservatives realize that their arguments, the talking points from the Prime Minister's Office, simply do not hold weight. The government could extend sitting hours or use a number of alternatives to allow for a democratic debate to take place, but it chooses the sledgehammer of shutting down that debate.

I just came back from British Columbia and I certainly heard great and growing concern on the part of Canadians that our debate and our rights as democratically elected representatives in the House of Commons are systematically being shut down. It is something that is increasingly worrisome to Canadians.

Let us examine the context of the bill that the government refuses to debate and has invoked closure on. As well, any discussion at the amendment stage and debate at third reading will be shut down within a few hours.

Before the government brings the sledgehammer down at the end of this afternoon, the reality is that this is an austerity budget brought forward at a time when we are experiencing economic slowdown. There were 72,000 full-time jobs lost in the month of October

alone—this at a time when nearly two million Canadians are looking for work.

Over the last few years, we have seen a steady erosion in the quality of jobs available in the Canadian economy. We reference this point in the House continually. Conservatives can deny it, but Statistics Canada is very clear that the jobs the Conservatives lost paid more than the few jobs they managed to create.

The Conservative government created less than 200,000 jobs over the course of the last three and half years, since May 2008. This was at a time when the labour market grew because our population grew by 450,000. The government created barely 200,000 jobs, but lost 72,000 full-time jobs last month alone. The Conservatives were a quarter of a million jobs short even from just maintaining the level of employment that we had in the labour market back in May 2008. We have seen an erosion both in the quantity of jobs and in the quality of jobs. It is a doubleheader.

Also, the Conservatives like to make stuff up. They will throw out a figure from the back of a napkin and say that they have created hundreds of thousands of jobs. These arguments thrown out by the Prime Minister's Office, as happens so often, do not hold water. When we go to the actual Statistics Canada figures since May 2008, we see quite the contrary. Fewer than 200,000 jobs were created, but the labour market grew by 450,000. The employment percentage has gone down by 2% since May 2008. In terms of quality, the jobs created paid \$10,000 less than the jobs the Conservatives have thrown away through what I can only call economic mismanagement.

That is the context of the budget, the 650 pages that the Conservative government does not want Canadians to know about. The context of Bill C-13 is that it is a time of economic slowdown.

• (1240)

The Governor of the Bank of Canada, the Parliamentary Budget Officer and many economists agree that we are in a slowdown. The Conservatives can deny the Statistics Canada figures for the month of October, but they have been disastrous. There is no other way to put it. For Conservatives to rise in this House and say that everything is fine and rosy and not to worry about a thing simply belies the reality that is happening on the ground and across this country.

What did the Conservatives then bring forward? They brought forward an austerity budget that, aside from a few small tax credits, will continue massive, significant and ongoing corporate tax cuts. What it means is that for middle-class and poorer Canadian families from coast to coast to coast is that there would be significant cutbacks in the services that they enjoy.

On the one hand, we are talking about billions of dollars in corporate tax cuts for this year, and then, on January 1, even more corporate tax cuts going forward. The Conservatives' only economic strategy is shovelling money out to what are very profitable industrial sectors, but for middle-class and poorer Canadian families, it is cutbacks in services, getting less and having less support. We can talk about a whole range of things, but the reality is that it is an austerity budget.

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Was that appropriate last spring? I do not think so. The government promised that it would be listening to Canadians. It is profoundly inappropriate in the fall, as we go through a profound economic shutdown with the loss of tens of thousands of jobs, for the government to say, "That is quite all right; we're just going to continue and give more corporate tax-cut spending. We're going to spend another \$4 billion on January 1, but we're not going to address the fundamentals underlying the Canadian economy". Nothing in this budget does that.

What are the fundamentals? We have talked about the job loss. We have talked about the poor-quality jobs that the Conservative government has shepherded in to replace the better-quality jobs it lost. The government has lost family-sustaining jobs and replaced those with low-wage jobs, often part-time, often temporary, though we will never hear Conservatives rising and actually talking about the fact that most of the jobs they are creating are part-time or temporary. They try to put the temporary jobs in with permanent full-time jobs, and that way, on the back of a napkin, they try to mislead Canadians about what is actually happening. However, Canadians are aware of what is happening, because they see the economic slowdown occurring right across the country. They see the layoffs and they see the small businesses having to struggle now.

In British Columbia, one of the biggest problems that our small-business sector has had to contend with over the last few months was the HST imposed by the Conservative government on British Columbians. Thankfully, British Columbians rejected handily the HST in the summer referendum that we forced. We can be thankful for that, because the HST imposed by the Conservatives was just another nail in the coffin for the B.C. economy. As a long-time member of the New Westminster Chamber of Commerce and as a proud member of the Burnaby Board of Trade, I can tell members that this single action led to significant job loss in British Columbia.

The Conservatives' imposition of the HST should never be repeated; however, it is in the same context. They refused to consult with British Columbians in the same way that, on this budget bill, the Conservatives are refusing either to consult the opposition or even to consult Canadians on an austerity budget that is profoundly inappropriate.

What is the other context of what we are going through as a Canadian economy? Far from the pretensions we have heard in the few minutes of debate we have had thus far today on finance and budgetary matters, the IMF has actually said that Canada is among the worst among all industrialized economies—doing worse than Spain and Italy, the economies that are in trouble—for the current account deficit on balance of payments. As members well know, that deficit means that we are importing finished goods, job-creating goods, and exporting raw materials. In their so-called economic management, Conservatives have made a hallmark of shipping raw resources out of this country like there is no tomorrow. They would just ship them out and import finished goods.

● (1245)

Now our current account deficit on balance of payments, which is a key indicator of the health of the Canadian economy, is going to be among the worst in the industrialized world. It is because the government does not understand that shipping raw resources out and

importing finished products, value-added products, means over time an erosion in the strength of the Canadian economy. It is worse than Spain and worse than Italy.

Not a single Conservative will address the issue, because they are scared about Canadians finding out the truth about their shipping out raw materials and what that has meant to the overall health of the Canadian economy. In this bill, nothing addresses that fundamental weakness. There is nothing that addresses the fundamental weakness of industrial sector after industrial sector.

I come from British Columbia, where the softwood lumber industry hemorrhaged tens of thousands of jobs after the government signed the softwood lumber agreement, which we have called the softwood lumber sellout. What that did was, again, give priority to the shipment of raw logs out of British Columbia and other regions right across the country. When we look at the forest industry generally, we see that raw log exports have increased substantially. That has happened because the government signed, yet again, an agreement that would facilitate the shipping out of our raw materials. What that means, again, is that our ongoing current account deficit is getting worse and worse.

When we look at the overall economic health of the Canadian economy on the eve of the government's invoking closure in just a few hours on Bill C-13, we see that we have hemorrhaged tens of thousands of jobs in the last few weeks, we have millions of Canadians looking for work and we have poorer quality of jobs. Every job the Conservatives lose, if they replace it, is replaced by one paying much less: almost \$1,000 less a month, almost \$10,000 less a year.

We have a crisis in exports. The Conservatives love to stand in this House and say that they signed a bunch of agreements and did some ribbon-cutting. That is not an export strategy. They have clearly failed. When we look at the current account deficit on balance of payments, we see that they have clearly failed, and failed worse than any other industrialized country.

Those are figures that tell the truth about what the government has done and what it has not done in dealing with the financial and economic challenges that the country faces.

What is in the bill, what we have, are austerity measures that are not in keeping with our current economic situation at all and that will hurt middle-class and poor Canadian families.

What we have includes the one big initiative that the government has not chosen to reference so far: the elimination of the democratic voting subsidy. As we all know, this per-vote subsidy was a tool in the hands of every single Canadian. They could choose the party that they voted for, and one dollar per vote would basically go to the party of their choice between elections. It is a very democratic, very pragmatic approach to democratizing our political system.



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There are also a huge range of tax credits and supports that exist, and the Senate is used as a home of patronage. The Conservatives are not cutting any of those elements. What they are doing in this bill is bringing an end to the one element of political subsidies that actually is democratically distributed. The cost is \$30 million, but the government is continuing with nearly \$400 million in subsidies that mainly go to the Conservative Party. For shame.

I imagine that is why the government is invoking closure. It is because the only significant budgetary measure that it has is the elimination of the per-vote subsidy. There are a few measures that we support, but the significant one, the elimination of the per-vote subsidy, is another nail in the coffin of democracy under the Conservative government. That is why we are speaking against and voting against Bill C-13.

● (1250)

**Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC):** Mr. Speaker, that was quite a list of accusations. I am impressed when I hear all these plans and solutions to the problems.

At the outset I want to say that we in the Conservative government never said that we were not immune to what is happening in the world. However, if we look at the figures, we have 600,000 net jobs of which 80% are full time. I challenge the hon. member to compare that to our closest trading partner, the United States.

The member also talked about the need to increase corporate taxes and the need to address those problems by taxing the corporations.

We sit on the same committee and have heard from a number of these organizations, small and medium businesses from the mining sector, the extraction sector, the banks and the insurance companies. Does the member know of anyone within those sectors who would support the NDP's job-killing plan of raising taxes? Does he have the support of those people who he claims he would be helping by doing these things?

**Mr. Peter Julian:** Mr. Speaker, given that 72,000 full-time jobs were lost in the month of October, one can only say, when looking at Bill C-13 and at the Conservatives' strategy, that they are job-killing plans.

I like the hon. member, and know that he is not preparing the notes. It is the Prime Minister's Office that puts out a figure and then pretends that the government has created x number of jobs.

StatsCan states that from May 2008 the Conservative government has created less than 200,000 jobs and that the labour market grew by 450,000 job seekers. That is not a line from the Conservative Party or the NDP but from StatsCan, the judge that is right. Therefore, the number of job seekers, the unemployed, grew. The reality is that the government was a quarter of a million jobs short from just treading water, from just standing still.

Rather than more corporate tax cuts, we need an intelligent approach that does not cut services to the middle-class and poor Canadian families. That is what we stand for on this side of the House.

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Mr. Speaker, I want to talk about the corporate tax cuts for a second.

In the year 2000, the corporate tax rate was 38% and the Americans' was 36%. Under the Paul Martin government, it was lowered from 38% to 20%, which put us in the middle of the G20 and, in fact, in the middle of the G7 among tax rates.

The present government has dropped it from 20% to 15%. That is taking \$16 billion a year out of the fiscal capacity of the government to address the problems that we have today and the problems that I see every day relative to seniors.

We made the proposal to cancel the January 1, 2012, tax cut. We hear all this talk about tens of billions of dollars in costs. Companies are already paying that \$3 billion to \$4 billion right now. This is not a new tax. Let us talk about the present time. The present time says that we should cancel that because there are things that need to be done.

The government needs a manufacturing strategy going forward to address the infrastructure alone of \$130 billion.

I ask the member to comment on that.

**Mr. Peter Julian:** Mr. Speaker, the member for Hamilton East—Stoney Creek has been a strong advocate for seniors in the country. I commend him for all of the work that he has done on behalf of seniors.

What the Conservatives are saying is that the tens of thousands of seniors living in poverty in the country need to continue living in poverty because it wants to bring in more corporate tax cuts. It is saying to the one million Canadians who rely on food banks just to get through the month that they will need to keep going to food banks because it wants to bring in more corporate tax cuts. It is saying to the 72,000 Canadians who lost full-time jobs in the month of October, almost half of whom will not have access to employment insurance, that it needs to cut their benefits so that it can bring in this further corporate tax cut.

I could go on and talk about prisons and the F-35s.

Speaking as a financial administrator, which is what I was before I came to the House of Commons, I have never seen such appalling bad judgment on spending as we have with the Conservative government. It is more prisons, the F-35s that are untendered and the massive corporate tax cuts.

It is the middle-class and poor Canadian families who are paying the price for the government's irresponsible attitude when it comes to fiscal policy in the country.

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• (1255)

**Mr. Colin Mayes (Okanagan—Shuswap, CPC):** Mr. Speaker, I want the House to know that the hon. member for Burnaby—New Westminster is from the city and I am a member for British Columbia from the interior. I have the fifth largest lumber company in the world in my constituency. I constantly speak with the CEO of that company and he tells me about what our government has done to benefit his corporation to be competitive and also all that we have done to help it find new markets for its products. Where it used to send 70% of its product to the United States, now it is sending it to China, with \$170 million that our government put forward to help the lumber industry in British Columbia.

The lumber industry in British Columbia right now is at a peak. All the mills are up and running with more than one shift. How can the member say that our policies are not the right policies for British Columbia when that is happening?

**Mr. Peter Julian:** Mr. Speaker, I am just flabbergasted. The member should know that we lost 50,000 jobs after the government signed the softwood lumber agreement. The exports to the American market have plummeted. For the member to stand and say that everything is rosy in the B.C. forestry industry, I am absolutely amazed that he is that out of touch with his own riding.

I will tell the House about my riding of Burnaby—New Westminster, which he referenced. I am very proud to represent the riding. There were 2,000 jobs lost in Burnaby—New Westminster as a result of three mill closures that occurred right after the member's government sold us out and signed the softwood lumber sellout. There were 2,000 direct jobs which means thousands of additional indirect jobs lost when the Conservatives signed the agreement. We told them that would be the impact and just the same they threw away tens of thousands of jobs in the softwood lumber industry. That was probably one of the most irresponsible acts of what has been a very irresponsible government.

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Mr. Speaker, I heard the member earlier say something in relation to value added to jobs. I want to talk particularly about refining and upgrading capacity in our country. He mentioned that he had ideas and thought that we should add more jobs to Canadian industry. As he knows, refining and upgrading is one of the most unprofitable sectors of the oil and gas industry. In fact, most of the technology today found throughout North America is 50 years old or more.

I know the NDP always suggests that it stands up for environmental concerns, but if we are going to add more jobs to what is the number one industry in Canada right now, which is oil and gas, we need to do so by upgrading and refining. I wonder how we can do that being that it takes 8 to 10 years to build one of these facilities at a cost of \$8 billion to \$10 billion and they are simply not profitable. That is why in North America very little upgrading or refining capacity has been done in the last 50 years.

I wonder what rules the member would suggest we bend, where he would put these refining and upgrading capacities and how we would encourage companies to build them through tax credits or through ACCA. How would he suggest we do that?

**Mr. Peter Julian:** Mr. Speaker, I am pleased that the member asked me that question. What we have seen over the last seven years

is the increasing number of New Democrats on this side of the House because we have been talking about a green economy and the development of green jobs. We have put together very specific proposals.

What has happened is that more and more Canadians voted, first 19 seats, then 36 and now 103 ridings are represented by New Democrats, in part, because people have responded very positively to what we have said we will do, in building a green economy and putting those green jobs together that many other countries around the world are already prospering from.

However, what we would not do is put in place and try to fast-track in the way the government has the Keystone pipeline. That would lead to a net loss, as the member well knows as he did an economic evaluation of it, of 18,000 jobs that would be shipped over the border, and that is not even the environmental impact. When we look at that, people can see that we stand for green jobs and a green economy and the government stands for shipping jobs across the border.

• (1300)

**Hon. Scott Brison (Kings—Hants, Lib.):** Mr. Speaker, I rise today to speak to Bill C-13, the second implementation bill for budget 2011.

I want to speak to some of the unfair elements of this bill. We think it is wrong that the Conservatives continue to exclude the lowest income Canadians from budget measures that are designed to help Canadians by introducing programs, like the tax credits for family caregivers, volunteer firefighters and children's arts activity, and then only making them available to some Canadians while completely leaving out those who are most in need: low-income Canadians who will not qualify for these measures because these tax credits are non-refundable. We think that is wrong and that it will weaken Canadian society by increasing the already growing gap between the rich and the poor in Canada. It will contribute to a reduction in the equality of opportunity that is so fundamental to Canadians and Canadian values.

I will speak today to some of the economic challenges facing Canadian society and how measures introduced by the Conservatives will actually serve to reduce economic opportunities for some Canadians who are already disadvantaged during these difficult global economic times. I then will provide some examples of how a Liberal government would do things differently.

There is a rising income gap under the Conservative government. The gap between the rich and the poor is growing in Canada. A recent study by the Conference Board of Canada shows that income inequality is rising even faster in Canada than in the U.S. The Conference Board's July 2011 study helps to provide some context by discussing why growing income gaps are a problem. It pointed out the following:



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—high inequality can diminish economic growth if it means that the country is not fully using the skills and capabilities of all its citizens or if it undermines social cohesion, leading to increased social tensions. Second, high inequality raises a moral question about fairness and social justice.

Again, that quote was from the Conference Board of Canada's July 2011 study.

Lower incomes can also lead to shorter life expectancies. A 2010 report from McMaster University found that the life expectancy of someone living in the wealthiest neighbourhood in Hamilton, Ontario, is 21 years longer than someone living in the poorest neighbourhoods of Hamilton, as an example. Rising income inequality, in terms of economic output, will increase costs in health care at a time when we already have a demographic bubble, or time bomb as some refer to it, in terms of the aging of our population and the commensurate increases in health care costs that will bring.

In 2008, in terms of economic output, a group of economists, including Don Drummond, estimated that poverty costs Canada between \$72 billion and \$86 billion per year in higher costs for health care, the criminal justice system and lost economic productivity.

One of the largest contributors to growing income gaps in Canada is the persistently high levels of unemployment and underemployment facing low-income Canadians. The reality is that we have almost 600,000 fewer full-time jobs than three years ago in August 2008. There is a significant gap geographically in Canada in terms of how individual economies are doing. If people happen to live in Saskatchewan or Alberta, resource rich provinces, provinces where people had the vision, foresight and wisdom to put oil and gas under the ground and, in some cases, smart enough to put potash under the ground as well, their economic situation is very different from that of places in Ontario, Quebec and the Maritimes.

We are seeing in this global economic restructuring the type of recovery in Canada that does not benefit all Canadians. In fact, a commodity led recovery, which is driving the Canadian dollar, for all intents and purposes, increasingly an oil and gas or commodity-based dollar, higher and, at the same time, as a result of that higher dollar, crowding out value-added jobs in other regions. While high commodity prices can disproportionately benefit some parts of Canada and some sectors in Canada, it is driving out a lot of manufacturing jobs, value-added jobs.

● (1305)

We just had an announcement of a permanent closure in my riding of the Fundy Gypsum Company. Part of the reason for that was the higher Canadian dollar in recent years that made its exports to the U.S. less competitive.

We have seen a lot of manufacturing jobs lost in my riding, food processing jobs, such as at Canard poultry and Larsen, close to my riding. We have seen a lot of losses in jobs in my riding. I latest information if have if that in Kings county, Hants county and Annapolis county, which is my riding and part of the riding next door, have 6,400 fewer jobs than in August 2008. The unemployment figures for Annapolis, Kings and Hants counties reached 7.8% in October 2011 compared to 5% in September 2008. That is almost a 3% increase in unemployment in my riding and half of the next riding, the riding of West Nova.

We are seeing it in our communities. We are seeing it in the small business community. The owner of a restaurant in Windsor, Nova Scotia told me recently that it had the worst year in 20 years. When people have lost their full-time jobs and have seen them replaced with part-time work, they cannot afford to take their families out for breakfast on a Saturday morning or for supper on a Friday night.

We have a responsibility in the House of Commons to evaluate how the economy and families are doing across Canada, not just look at the macro numbers, but look across the country and consider the plight of families in some of the regions. One of the realities is that during this technical recovery, this statistical recovery, many Canadians are still facing a deep human recession.

The other thing to realize is that before the markets tumbled back in August 2008, 17,366,000 Canadians had jobs. In October 2011, and these are the latest figures available from Stats Canada, that number stood at 17,402,300 jobs. However, that includes almost 600,000 net fewer full-time jobs lost in Canada over the last three years.

This issue has contributed as well to the growth of household debt. We are now at record levels of household debt in Canada, largely because Canadians are trying to replace their lost income from losing their full-time jobs with income from part-time jobs. They are having a lot of challenges making ends meet. They are seeing their costs going up on an ongoing basis and their pay going down as they are replacing full-time work with part-time jobs.

The reality is the household debt levels in Canada is \$1.51 for every \$1 of annual income in Canada right now. That is actually higher than the family indebtedness in the U.S., record highs for Canadian households.

Canadians are worried about how they will pay the bills next month and they are petrified about what will happen at some point in the future when interest rates start to rise, which they inevitably will.

Within the context of rising inequality, the Conservatives have gone ahead and introduced a number of tax measures in budget 2011 that will actually worsen the situation by deliberately excluding low-income Canadians. We have repeatedly asked, both at finance committee and in the House of Commons, that the Conservatives make a family caregiver tax credit, the volunteer firefighter tax credit and the children's arts tax credits refundable so all Canadians can qualify, but the Conservatives have steadfastly refused.

● (1310)

I want to be clear. We support a family caregiver tax credit and a volunteer firefighters tax credit. In reality, it was the Liberal Party that proposed both of those before the Conservative Party. We proposed those tax measures because we felt a lot of families were struggling with aging and ailing loved ones, trying to keep them in their homes, and they needed the help.

Many communities, including my own communities in places like Summerville and Brooklyn, Hants county and Wolfville and Kentville, have a lot of volunteer firefighters. It is harder and harder to attract volunteer firefighters. Frankly, they are paying a financial cost. They are risking their lives and struggling to keep the fire departments viable.

We believe very strongly in a family caregiver tax credit and a volunteer firefighters tax credit. In our platform, we had both of those, but we had made them refundable. The reason they need to be, and ought to be, refundable is that by making them non-refundable, as the Conservatives have done, it perversely means that the lowest-income volunteer firefighters and family caregivers will not receive benefit. There is no way we can defend, economically or morally, that the lowest-income volunteer firefighters and family caregivers would not benefit from these measures. It is fundamentally wrong. I see families struggling to take care of loved ones now.

It is one of the issues I hear from constituents on an increasing basis, as we have an aging population, and the rural communities in the Maritimes are aging disproportionately. We have lost a lot of young people who have gone to other parts of the country for work. Therefore, in many cases, we have fewer young people to help out mom or dad, or granddad or grandmom stay in their homes. The burden on the people who are left behind, the family members and the caregivers, is immense. The VON does an extraordinary job helping a lot of people in my riding in Nova Scotia, but it can only do so much.

My mom and dad have a home care person who comes in a couple of times a week. She does remarkable work in helping my parents stay in their own home. My dad is 88 and my mom is 82 and she has Alzheimer's. I see how hard the home care workers are working and the difference they are making.

I see the sacrifice my sister makes. She is, for all intents and purposes, the family caregiver to my parents. There are three sons and then there is my sister. I can tell members that, disproportionately, the burden goes to the daughters in a family when it comes to these situations. That is unfair, but I see it. I know my sister would qualify, based on her income, for the family caregiver tax credit. However, it is not fair that some other person's sister or some other person's daughter, who takes time away from her work to take care of an elderly mother or father, would not benefit. That is fundamentally wrong.

I would like to see other family caregivers benefit from this measure, particularly, low-income caregivers. In my sister's case, she has taken time off work so she can help mom and dad in their home, so she is seeing a decrease in her income. That is happening to a lot of families across Nova Scotia and Canada. It is wrong that the caregivers in those lowest-income families would not benefit from this program designed to help caregivers and to help seniors and people who face long-term illness stay in their own homes longer.

Frankly, it would take a lot of burden off the provincial health care system if we could help people stay in their own homes. In most cases, the cost of putting people in nursing homes or long-term care families is a lot more than keeping them at home. Therefore, from the perspective of long-term fiscal policy, it is important for both

federal and provincial governments to do everything they can to help people stay in their own homes.

•(1315)

I focused a lot on the disparity and unfairness of making these tax credits unavailable to low-income caregivers and volunteer firefighters. It is unfair, but it is also nonsensical from an economic perspective. It makes no sense socially, economically or morally.

Susan Eng, vice president of CARP, the Canadian Association of Retired Persons, has said:

We...encourage (the government) to put forward a refundable tax credit, particularly for the more narrow segments of caregivers who perform 24/7 care. Those are the people who have had to quit their jobs...to look after families. They are not going to be in a position to benefit from a non-refundable tax credit.

That is from one of the largest organizations representing senior citizens in Canada.

Nadine Henningsen, president of the Canadian Caregiver Coalition, told the finance committee:

—convert the non-refundable credits to refundable credits, so that all Canadians with caregiver-related costs, regardless of income, will benefit from these tax measures.

Again, there is broad-based support for making these credits refundable from the people who understand caregiving the most, the Canadian Caregiver Coalition, and from the biggest organization representing Canadian seniors, the Canadian Association of Retired Persons.

At some level the Conservatives must recognize that there is a moral imperative to make these tax credits refundable so they are available to all deserving Canadians.

In their last election platform the Conservatives promised to make the Canadian fitness tax credit refundable so that low income Canadians could also qualify. However, they have only promised to include low income Canadians once the budget is balanced.

We know from the minister's latest oops moment, kind of like Governor Perry, with his budget number that it is going to be 2015 or 2016 by the time the budget is balanced. That is based on their latest numbers, but the minister has missed every target he has set. In fact, he inherited a \$13 billion surplus and spent Canada into a deficit even before the downturn. He increased spending by 18%, three times the rate of inflation, and put Canada into a deficit even before the 2008 crash. He promised a balanced budget in the fall of 2008 and a few months later delivered a record high \$56 billion deficit.

Therefore, it is hard for us to count on the minister's projections, but for low-income Canadians who are being promised some tax relief once the budget has been balanced, it is very hard for them to count on or wait for that inevitable balancing.



*Government Orders*

I also want to speak on the EI payroll tax increase of January. The minister confirmed that EI premiums would be increased by \$600 million in January. With stubbornly high unemployment in many parts of the country, it makes no sense for the government to be increasing payroll taxes at this time. That is why we called for a payroll tax freeze and EI premium freeze at this time. It does not make sense to increase what is effectively a job-killing payroll tax at a time of high unemployment.

We also believe that we have to take a serious look at the Conservatives' plan that they introduced to force the EI system to self-balance over a short period of time. What that means is that it perversely actually increases EI premiums at times of high unemployment. It makes no sense to increase job killing payroll taxes at exactly the time when we need to either freeze them or potentially even decrease them. We need to have a longer horizon for self-balancing.

I also spoke with Jack Mintz, who spoke to a group of us recently. Jack Mintz says that we need a focus on overall tax reform in Canada. We need to simplify and streamline the Canadian tax code. My leader, the hon. member for Toronto Centre, has called for the same. We need to have a long-term focus on building a fairer and more competitive Canadian tax system, streamlining and simplifying the tax system, not making it more complex with boutique tax credits that do not benefit the lowest income Canadians.

● (1320)

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, my hon. colleague was in the House when the infamous fiscal update was delivered at the beginning of the largest recession since the Depression. The Minister of Finance said that Canada was not in debt, but according to the Parliamentary Budget Officer we were already starting to slip into billions of dollars in debt. The Conservatives' solution to the threat of Canada joining a world depression was that they would sell off public buildings and have no stimulus. That, of course, precipitated the situation where the other parties expressed clear lack of confidence and the Conservatives were forced to turn around. Within a month, they came back and we were suddenly \$30 billion to \$50 billion to \$60 billion in debt. I do not think anybody in history has spent money as fast as they have done.

Why should we have any faith in the Minister of Finance who one month said Canada was not going to be in debt at all, that we were going to ride out the crisis, and within two months the Conservatives were spending what they said was \$10 billion but they wracked it up to \$50 billion in about six months? The Conservatives still have not explained how they are going to get us back to an economically fiscal plan. Their numbers seem to be in contradiction to everything we hear from the Parliamentary Budget Officer or anything we hear from the private sector.

Could my hon. colleague explain?

**Hon. Scott Brison:** Mr. Speaker, the hon. member has been very active on the G8 and G20 spending file, perhaps one of the greatest misappropriations of public tax dollars in the history of the country.

I remember that now infamous fall 2008 economic statement where the finance minister claimed there would be a \$100 million surplus. In a federal budget, \$100 million is almost a rounding error.

The only way he was able to reach that minuscule little baby surplus was to sell off \$10 billion of assets. I remember day after day we asked the minister to produce a list of the assets that the government was going to sell. He never presented that list of assets because there was no list of assets. The government had effectively created this notion that there was going to be an asset disposal. It never created a list.

As a minister of public works in the past, I know it takes about two years to go from having a list of assets to actually implementing a sale. The government made up those figures to try to pretend it had a surplus and in fact it did not.

The member is quite right. It is very hard to have faith in the government's budget numbers or projections.

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I enjoyed my hon. colleague's remarks because we actually heard some facts. The member expanded on the tax credits. We have long supported the firefighters' tax credits and other tax credits. The government continues the message on them as if they are going to benefit all people, when really they do not apply to low-income people who provide the same service.

I wonder if my colleague could expand on that. Just what does the government have against assisting people with lower income, and are there other examples?

**Hon. Scott Brison:** Mr. Speaker, the hon. member for Malpeque also represents rural and small town communities like mine. He knows that a lot of the volunteer firefighters in rural and small town Canada are people who are not making a lot of money. They are people who are struggling barely to get by. They are people who, in a lot of cases, are raising families on less than \$20,000 a year and will not benefit from these non-refundable measures.

Again, anyone in this House, regardless of the politics of his or her party, has to understand that it is fundamentally wrong that low income Canadians would get less of a benefit than middle class or higher income Canadians. This applies to the volunteer firefighters and the caregivers. It also applies to children playing sports. Let us think about this. We all know that the cost of hockey, soccer, and any other sport has gone up. Kids need to have good activities to have healthy minds and bodies and to have a good and productive life. These tax credits are designed to help kids in sports, music and the arts, but they will not benefit children of low income families. That is particularly wrong. It increases the inequality of opportunity that is so menacing to a lot of Canadian families.

• (1325)

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Mr. Speaker, regularly in this House we hear the Conservatives talk about the stable majority government. Some 60% of Canadians voted against the government. One of the reasons I think a fair number of them did was that in our election platform, and in the Liberal platform, there was mention of a \$700 million increase to the guaranteed income supplement for seniors. In our case it would have applied to 300,000 seniors who take in less than \$15,200 a year. The response from the Conservatives was \$50 a month. That is about what the HST has taken out of people's pockets already.

I would like to hear a response from the member. Our suggestion was \$200 a month to at least get these folks up to the poverty line.

**Hon. Scott Brison:** Mr. Speaker, there are two types of measures: those that are done by political parties for politics, and those that are done to really help people.

I have to hand it to the Conservatives because sometimes they will take what seems like a good idea, in some cases proposed by the NDP or the Liberals, to help low income seniors or to help volunteer firefighters, but instead of funding it in a way that can really help people, they malnourish the proposals. They get all the bang for the buck out of the announcement. They get all the politics in the short term when people think they are going to get help.

There is a lot of after-sale disappointment when people realize their lives have not changed a bit, and that they have been duped. They have been sold a bill of goods by the Conservatives during an election, who said that they were going to help volunteer firefighters, or low income seniors who need help with the GIS. The Conservatives are counting on Canadians to not really do the math. They are expecting to get away with it, and they do quite frequently.

The reality is that if they are serious about helping people, they have to make sure the programs and the tax measures that they commit to are delivered substantively. They have to ensure that the funding is there to actually make a difference in people's lives. Otherwise it is just politics and it is not about helping people.

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Mr. Speaker, I will be sharing my time with the member for Willowdale.

It is my pleasure on behalf of the people of Renfrew—Nipissing—Pembroke to speak in support of the legislation before us, the keeping Canada's economy and jobs growing act.

The decision by the people of Canada to vote in favour of a strong, stable, majority government was our mandate to get on with the job of providing Canadians with good government.

My constituents recognize that providing sound financial leadership means making the right decisions to keep Canada on track as the best place to live in the world. If Canada is to maintain its standard of living in today's world, we need to anticipate tomorrow's economy and the jobs that will be required for that.

Energy to power our needs in the future is recognized by our government as where we need to be proactive. Our budget continues to provide significant financial investment in the Canadian nuclear industry.

### *Government Orders*

Bill C-13 contains elements of restructuring efforts of AECL dating back to 1993. The process is recognized as ongoing, which is where I would like to focus my comments today.

The Chalk River laboratories of Atomic Energy of Canada Limited represent the retained assets of the crown corporation in our restructuring efforts to strengthen, diversify and support the thousands of jobs associated with this industry.

Our government has provided financial support to AECL that was necessary after many years of neglect by the old government.

Just like a car that needs service and proper maintenance to keep it running smoothly and safely, the same is true of Canada's nuclear assets. For example, even though corrosion on the containment vessel in the NRU, Canada's research reactor, had been observed, the former government decided to follow a policy that would have resulted in the loss of thousands of jobs and the hollowing out of an industry in which Canadians are recognized as world leaders. It viewed Chalk River laboratories as nothing more than an isotope factory, when in fact the science of nuclear medicine is but one of the lifesaving discoveries that have been made on site.

On November 16, 2011, Dr. Robert Walker, president and CEO of AECL nuclear laboratories, was pleased to report that we have a new five year licence at the Chalk River site. That is a demonstration of Canadian confidence in the nuclear labs at Chalk River.

The keeping Canada's economy and jobs growing act means supporting science, research and development for the jobs of tomorrow.

The former government did not foresee the increased demand for clean, affordable, sustainable energy.

The possible use of nuclear energy for electric power production was discussed in the early years of the nuclear research program, but the first definitive key decision came early in 1953 when it was stated in this very chamber:

Here in Canada we believe that the time has come to undertake the development of atomic power in this country, and discussions are going on as to ways and means of bringing about that development. We feel that the production of power is the concern of those who distribute power, organizations like the Hydro Electric Power Commission of Ontario, or the major privately-owned power companies.

Half a century after Rutherford demonstrated for the first time the existence of the atomic nucleus, Canada launched into the 20th century of high technology.

The pursuit by W.B. Lewis, an outstanding scientist of world stature, and his colleagues at AECL Chalk River laboratories of the neutron economy resulted in low fuel costs for Candu, which stands for Canada deuterium uranium reactors, and this became a significant factor in their success. In 1987, the centennial of engineering in Canada, the Candu reactor was ranked as one of the country's top ten engineering achievements.

The former government did not recognize the achievements of Chalk River laboratories, such as in its role in radiation therapy.



*Government Orders*

• (1330)

In 1951, at the Chalk River plant in Ontario, a group of scientists isolated a source of radiation even stronger than X-rays. It was, and still is, widely used to treat cancer patients. The source of this radiation was the radioactive isotope cobalt-60. The production of this radioactive isotope and the required nuclear activity was carried out in Canada four years before it was repeated in any other country.

The Canada Student Loans Act is assisting young scientists who are studying neutron scattering. The former government forgot about the pioneering work conducted by Bertram Brockhouse, which laid the foundation for the field of inelastic neutron scattering, and for which he shared the 1994 Nobel prize in physics.

A beam of neutrons can be directed onto a specimen of material. By measuring how the beam is reflected, scientists can learn a great deal about the structure of a specimen at the atomic level.

Using the technique that Brockhouse pioneered, the NRC Canadian Neutron Beam Centre at NRU today enables scientists from across Canada and around the world to investigate new materials with neutrons. In fact, after the tragedy with the space shuttle Challenger, NASA commissioned the Canadian Neutron Beam Centre to determine whether or not it was a seal that caused the accident.

Dr. Dominic Ryan, president of the Canadian Institute for Neutron Scattering, outlined that the NRC-CNRC in Chalk River is Canada's scientific hub for research using neutron beams as probes of materials. Since everything is made of material, even our own bodies, materials research using neutron beams has a broad range of applications.

With regard to spin-offs from Chalk River, the Chalk River Laboratories act as a science and technology catalyst for innovation contributing to industry success both domestically and internationally. It has mastered the transfer of bench-top science through to practical applications, on to commercialization and manufacturing. That means jobs.

Another aspect of Chalk River is the security. In addition to maintaining and growing Canada's capability in the nuclear energy industry, improving reliability in the supply of medical radioisotopes and improving the understanding of the effect of radiation on human health, Chalk River Laboratories is ensuring the safety and security for Canada.

A key technology developed at AECL is used by United Nations inspectors to verify that countries are complying with the international Nuclear Non-Proliferation Treaty and are not developing nuclear weapons.

Known as the Cerenkov viewing device, it allows the UN International Atomic Energy Agency, IAEA, safeguard inspectors to examine nuclear fuel to confirm it is not being diverted from civilian to military purposes.

AECL Nuclear Laboratories recently patented the state-of-the-art advancement of this technology which allows for total automation of this vital task for the very first time. With millions of shipping containers around the world and over 45,000 trucks crossing North American borders every day, one of the significant challenges for

port and border inspection agencies is the detection of illicit nuclear material in transportation containers.

Accurate and expedient results are not only vital to ensure the security of our borders but also ensure the efficient flow of goods and services between the two trading partner nations.

AECL Nuclear Laboratories, in collaboration with Defence Research and Development Canada, the Canadian Border Security Agency, Health Canada and several Canadian universities have recently patented a detection technology similar to CAT scan machines used in hospitals.

Instead of producing an internal image of a patient, it indicates the presence of nuclear material such as uranium and plutonium that may be hidden in shipping containers.

• (1335)

In parallel, AECL is currently working with a Canadian company developing low powered, inexpensive, pocket-size radiation detectors for infield use for practical radiation detection of nuclear materials. That, in addition to 3,300 AECL jobs, spells more jobs.

Chalk River Laboratories is also improving nuclear and related technology safety. It has developed technology to absorb the excess hydrogen and reduce the risk. It is called the passive autocatalytic recombiner. The technology uses no moving parts and is making our reactors safe here in Canada and around the world.

The domestic Canadian nuclear industry has specifically benefited from this technology and it is addressed as a requirement that the federal nuclear regulator placed on the industry to address the hydrogen hazards. AECL technology is also mitigating nuclear accidents.

I see that I am out of time, so I will answer any questions.

• (1340)

**Mr. Chungsen Leung (Parliamentary Secretary for Multiculturalism, CPC):** Mr. Speaker, I thank my colleague, the member for Renfrew—Nipissing—Pembroke, for sharing her time.

It is an honour to rise in the House today to speak to third reading of Bill C-13, keeping Canada's economy and jobs growing act. I am proud to stand to speak in support of our government's record.

Last May Canadians elected a strong Conservative government, a government that has earned the trust of Canadians. Our government worked hard in two minority governments to achieve this. For too many years before that, Canadians had a government that lacked accountability and transparency, a government that treated taxpayers' dollars recklessly. In May, Canadians spoke loud and clear, and chose a government that has earned their respect and confidence.

*Government Orders*

Our government has steadfastly provided good economic policies that have allowed this great country to weather the global slowdown better than many other industrial countries. It is our task to continue on and support the policies that have allowed Canada to remain strong.

Our government is focused on what matters to Canadians: creating jobs and promoting economic growth. While Canadians are keenly aware of this, the G7 countries are also aware of our economic position. The International Monetary Fund has projected that Canada will be among the strongest in economic growth of the G7 for the next two years. This is a time to continue with the sound policies of our 2011 budget which does this.

It is our duty as a government to look beyond this moment and work to create positive successful policies that will provide for our future generations. Bill C-13, keeping Canada's economy and jobs growing act, is about precisely that. With the support that is provided to communities by legislating a permanent annual investment of \$2 billion in the gas tax fund to provide predictable long-term infrastructure funding for municipalities and enhancing the wage earner protection program, we are looking to the future and working beyond today's economy. Canadians expect that and we are delivering it.

In my riding of Willowdale, a very urban riding, we recently announced a new partnership between Seneca College with small and medium-sized businesses, enterprises that will help conduct research and bring innovative ideas to market, bringing innovative ideas to commercialization.

Commercialization is the engine for job creation and employment for young entrepreneurs and students who are coming into the job market. This is due to investment from the Federal Economic Development Agency. Our government is working to make the most of our opportunities to innovate, adapt and grow, and secure a prosperous future. I was proud to share in this announcement. It is policies like these that have Canada moving in the right direction, a direction that has been envied by many countries in the world.

We are continuing to help families by introducing the new family caregiver tax credit to assist caregivers of all types of infirm dependent relatives. We know that families are the pillars of our communities. We want them to have the resources they require to have the best opportunities and sound futures. By removing the limit on the amount of eligible expenses caregivers can now claim under the medical expense tax credit, we are assisting those who are financially dependent on relatives. We understand the pressures that Canadians face.

Furthermore, the child arts tax credit is one of that many parents in Willowdale will want to utilize. We understand the benefits of these programs to children and families, and we know that supporting these artistic, cultural and recreational activities will benefit our future citizens in many ways.

Our government has shown respect for taxpayers. The keeping Canada's economy and jobs growing act phases out the direct subsidy of political parties. Political parties should not be directly subsidized by Canadian tax dollars.

The Toronto Board of Trade has said that the 2011 federal budget achieves a prudent balance of taxability and deficit reduction measures while pointing to long-term infrastructure investment opportunities. This is a good plan for both Toronto and Canada.

Our government believes in low taxes. We want to leave more hard-earned money in the pockets of Canadians. My colleagues across the floor continue to have a high tax agenda that would increase taxes on job creating businesses to pay for billions and billions of reckless spending and bloated government programs in Ottawa. Canadians spoke against such policies last spring.

● (1345)

We have cut taxes 120 times since 2006, reducing the overall debt burden to the lowest level in nearly 50 years.

I think we are one of the most competitive low tax jurisdictions in the world.

Under our government, Canada has had seven straight quarters of economic growth and created nearly 600,000 net new jobs since July 2009, of which over 80% are full-time positions.

Our government is enhancing our guaranteed income supplement. Eligible low income seniors will now receive an additional benefit of up to \$600 for single seniors and \$840 for couples, helping more than 680,000 seniors across Canada. We understand the challenges that some seniors are facing in these tough economic times and the GIS will put more dollars in their pockets.

Recently, the Royal Bank of Canada released its economic survey suggesting that Canada's economy is set to pick up despite volatile global financial markets. The RBC has indicated that it is expected that the Canadian economy will rebound. I am confident that the sound fiscal and sometimes difficult choices of the government have paved the way for this.

On this side of the House we also understand that families want to lower their heating and electricity bills by making their homes more energy efficient. That is why we are extending the eco-energy retrofit homes program. This program has been a success. Until March 31, 2012, homeowners are eligible to receive grants of up to \$5,000 to make their homes more energy efficient. I know many of the residents of Willowdale will want to make energy-efficient improvements at home and this program will help them.

Our government understands the importance of this program to Canadians. It has the added benefit of creating a green economy, the precise economy that we are looking for to meet the challenges of the 21st century and to help the new economy on its path to conserve jobs and to build new jobs. There has been much discussion with respect to new technologies and the new green economy.

Our government understands that Canadians are worried about the quality of the air we breathe, along with pollutants and chemicals affecting our environment. Canadian families deserve the best air, water and cleanest environment possible.



### *Government Orders*

The next phase of Canada's economic action plan maintains our Conservative government's strong record of supporting a cleaner and more sustainable environment. I will outline some of the measures that we have put in place to do this.

Indeed, for 2011-12, our Conservative government is investing more to protect the environment than in 2010-11. Investments include: \$400 million for the eco-energy retrofit homes program to support Canadians in making their homes more energy efficient, \$252 million to support regulatory activities to address climate change and air quality, nearly \$200 million to help address the health and environmental risks posed by dangerous chemicals through the chemicals management plan, \$97 million to develop and promote clean energy technologies, \$86 million to support clean energy regulatory actions, \$68 million to clean up federal contaminated sites, \$48 million to develop transportation sector regulations and next generation clean transportation initiatives, \$40 million to support new climate change and clean air projects under Sustainable Development Technology Canada, \$35 million to support climate and atmospheric sciences research, and the list goes on.

Our government is moving in the right direction on the environment. I am confident of the results of these initiatives for today and for future generations.

We are focused on what matters to Canadians, which is to create jobs and promote economic growth. We have taken strategic measures to help weather the global economic slowdown. However, we need to stay the course and implement the next phase of Canada's economic action plan.

I urge my colleagues across the floor to support this legislation, which is a continuation of sound policy that has made Canada the envy of many countries.

We have worked hard as a government to assist our entrepreneurs and we are continuing this in budget 2011. The new hiring credit for small business will provide up \$1,000 against small business EI premiums for new hires.

The World Economic Forum has ranked Canada's banking system as the strongest and safest in the world. The policies of our government have not gone unnoticed. *The Economist* magazine has named Canada the best place to invest and do business in the next five years.

• (1350)

Having indicated all of these policies are in place, I urge my colleagues across the way to support these measures, the continuation of sound economic ideas that have proven to be sound and comprehensive.

Our Prime Minister and finance minister are working hard to keep Canada on track. I am proud to work with them on these vital programs in budget 2011.

**Mr. Andrew Cash (Davenport, NDP):** Mr. Speaker, I listened very intently to my hon. colleague across the way comparing Canada, as the government often does, to other G7 countries.

The U.K. just announced that over one million young people in the United Kingdom cannot find a job. Thirty per cent of the young

people in Italy cannot find a job. It is a bit rich for the government to be comparing Canada with economies that are in dire need.

I know the member opposite is a businessman himself. He understands these issues. He comes from the GTA. How many of these mythical jobs that the Conservative government has created are jobs that come with pensions, jobs that come benefits, jobs that we could see raising a family with, especially within the GTA?

Can the member opposite confirm that we can raise a family on a \$10-an-hour job, with no benefits, with no pension, with no job security? I would like him to answer that question.

**Mr. Chungsen Leung:** Mr. Speaker, I have been in small business for over 25 years. All I can say is that a low tax regime where the government does not take away from my cashflow would help me to hire new students and would help new entrepreneurs entering business. These people come with the vigour and the will to work hard in order to make our economy a success.

What I would like to know from the member opposite is what kind of business is he looking at? My business requires research, innovation and commercialization. These are the permanent jobs that we need to meet the economy of the 21st century and the need for green technology, and that would build our new economy for the future.

**Hon. Scott Brison (Kings—Hants, Lib.):** Mr. Speaker, does the member actually think it is fair and just to have tax measures in the budget that would not benefit low-income Canadians?

Does he think it is tenable, in any way, that low-income volunteer firefighters, that low-income families with children, and that caregivers from low-income families would not benefit from these measures? If he believes it is unfair, will he work to change that and to ensure that these measures are made refundable and as such, would benefit low-income Canadian families who need them the most?

**Mr. Chungsen Leung:** Mr. Speaker, I know the member's riding quite well, as my wife is from the same riding. She lived in Kentville.

I must say that in that riding a lot of wineries are being established. Let me tell the member that if he were to speak with those people, all of them would tell him that the low tax jurisdiction is the best way to create jobs and hire people to work in those wineries.

**Mr. Jeff Watson (Essex, CPC):** Mr. Speaker, while the opposition not only continues to filibuster priorities to grow our Canadian economy, when it comes to private members' bills and the opposition's priorities, the member for Windsor West introduced a bill about labelling for cat fur in products.

I know the government's priorities. I wonder if the member can comment on the difference between the priorities that we have of growing this economy through lower taxes and other initiatives and the priorities, like labelling products that contain cat fur, from the New Democrats. Would he speak to those priorities?

• (1355)

**Mr. Chungsen Leung:** Mr. Speaker, regarding those priorities, I think they are best left to businesspeople. I am sure that business would find the best strategy.

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Mr. Speaker, I am pleased to rise today and speak to the third reading of Bill C-13. This is not the first time I have encountered Bill C-13. In the Standing Committee on Finance we reviewed it reasonably thoroughly and I am critic for finance in the area of pensions, although I will speak in broader terms here today.

On this side of the House, we believe that Bill C-13 is a major missed opportunity. The obvious question that follows is: What would we do in the official opposition if we were making the same decisions that the government is facing at this point?

New Democrats have been proposing job creation types of proposals such as shelving the planned corporate tax cut for January 1, 2012. This would create \$3 billion to \$4 billion a year that could be used in job creation. We hear from the other side that somehow this would raise taxes. No, it would not. It would be a continuation of the tax that exists at the present time.

Next, we would have offered a new-hire tax credit for every new hire who stays in the job a full year. New Democrats would also help small businesses by providing a 2% tax cut for them, to encourage job creation. The previous speaker just talked about the environment needed for small business. Considering the dire warnings from the Federation of Canadian Municipalities for at least the last five years regarding the huge deficit of infrastructure needs in this country, we would put aside moneys and set forth a plan to address the \$130 billion in infrastructure deficit.

It is very important to have long-range planning and that is what seems to be missing here today. New Democrats believe Canada should be in the lead in investing in green infrastructure and renewable energy, but we lag far behind the United States and other countries. The message from this side of the House is that it is time for the government to invest now.

Workers from the boomer generation are retiring. Canada has a zero birthrate. We must invest in skills training for current workers, for those workers who will replace the ones who retire and for the future needs of this country in leading-edge industries of tomorrow.

During our finance committee's recent pre-budget hearings for the 2012 budget, I stressed the following.

Canadians are too indebted to stimulate the economy. Business is holding on to some \$500 billion in cash because of the fear of another freezing of bank lending as happened in the last recession. This leaves only the governments to stimulate our economy. The government should seriously consider the options put forward by New Democrats.

### *Statements by Members*

At our pre-budget hearings, Glen Hodgson, senior vice-president and chief economist of the Conference Board of Canada, at one of our public meetings, stated the following:

We believe we're severely under-invested as a country in infrastructure. We haven't done the numbers, but others have, including engineers and the Federation of Canadian Municipalities, and I think their number going back five years was of a deficit of about \$130 billion in terms of infrastructure investment.

He went on to say:

That tells me there is huge scope for realigning government spending priorities and making sure we're making adequate investments in roads, ports, and bridges to ensure that the Montreal economy, for example, works well. Could you imagine if the Champlain Bridge actually broke...? That would be a huge loss to Montreal's GDP and to Canada's GDP.

Sylvain Schetagne, senior economist, social and economic policy department, Canadian Labour Congress, said:

Corporations benefit from the kind of infrastructure they have around them. So a bridge that is falling apart is not good.

That is an understatement. He further said:

Having enough workers who have skills and education needed in order to provide productive work is also needed.

That is in line with the suggestion that came from the New Democrats. He said:

There are other things we can do. For instance, in social infrastructure we are facing an aging workforce, and we would like to see more Canadians working... more women and more aboriginals working. There are programs such as child care that we can put in place to allow more women to go back to work, to improve labour force participation, and to make sure that companies have workers when they need them.

Glen Hodgson said:

As part of our globalization, sadly inequality is growing in most countries around the world and in Canada. The rate of growth of inequality, as we measured it, was actually greater than in the United States, which is a bit of a surprising result.

He closed his statement by saying:

We are asking questions about whether we're doing enough as a country to ensure that all Canadians are benefiting from the economic growth—

• (1400)

**The Acting Speaker (Mr. Barry Devolin):** I regret to interrupt the hon. member at this time. He will have 15 minutes remaining in his speech when the House returns to this matter.

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## STATEMENTS BY MEMBERS

[English]

### SAINT BONIFACE OVERSEAS WORKERS

**Mrs. Shelly Glover (Saint Boniface, CPC):** Mr. Speaker, I rise today to honour some exceptional constituents from my riding of Saint Boniface who will soon be embarking on overseas mission work.

Judy Holukoff, Dave Fidler and Scott Hildebrand have all chosen to leave the comforts of home to bring hope to people in need.



### Statements by Members

Judy will be working in Southeast Asia from November 25 to December 9. She is travelling with a team of women from a denomination of churches called the Christian and Missionary Alliance. The team will work with exploited women rescued from prostitution to give them courage and skills for a better future.

Dave and Scott will travel this February to the earthquake-ravaged region of Haiti. They are part of a team of 10 from the Cornerstone Alliance Church. The team arranged their mission through an organization called Samaritan's Purse. They are excited to help rebuild an orphanage and hopefully have a chance to distribute toys to Haitian children.

I want to applaud these individuals, their families and everyone who has taken part in these initiatives. I thank them for doing their utmost to make this world a better place.

God bless them and bring them home safe and sound.

\* \* \*

[Translation]

### JUSTICE

**Mr. Tyrone Benskin (Jeanne-Le Ber, NDP):** Mr. Speaker, the Conservatives' irrational approach to crime is jeopardizing the good work done by community organizations throughout Quebec, and particularly in my riding of Jeanne-Le Ber. Quebec would rather focus on crime prevention than impose mandatory minimum sentences, especially for young people.

[English]

I would like to recognize the time-intensive work carried out by the many community groups in my riding. They are there for our youth to encourage and guide them toward better choices and away from organized crime and crime in general. The prevention approach is proven to have far better results than the blind punishment approach of the government.

[Translation]

Canadians want a system that prevents crimes before they happen by targeting the causes of these crimes instead of young people. We have a responsibility to ensure that our young people make the right choices.

[English]

We also have a responsibility to help them when they fall. This is what our community groups do 365 days a year, and for this they deserve not only our support, but our thanks.

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### PARLIAMENTARY COMMITTEE ON PALLIATIVE AND COMPASSIONATE CARE

**Mr. Harold Albrecht (Kitchener—Conestoga, CPC):** Mr. Speaker, I rise today to speak to the work of the Parliamentary Committee on Palliative and Compassionate Care. MPs from all parties in the House participated in building a report on how vulnerable Canadians can be better served. Focusing on suicide prevention, palliative care and elder abuse, the committee's report, entitled *Not to be Forgotten*, was launched last week here on Parliament Hill.

The report lights our path ahead so that all levels of government can identify gaps and act accordingly within the means available, moving us methodically forward toward improved care of vulnerable Canadians.

*Not to be Forgotten* was built on the experiences shared by Canadians in hearings across the country and on the advice of those groups struggling to serve our most vulnerable citizens. With every small step, we can make a real difference.

I thank the hundreds of Canadians who came forward to share their stories, often through great pain. Those stories and that pain will not be forgotten.

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### RIDING OF CARDIGAN, PRINCE EDWARD ISLAND

**Hon. Lawrence MacAulay (Cardigan, Lib.):** Mr. Speaker, it is with great pleasure that I stand in the House today. It was on this day 23 years ago that I was first elected to this great chamber. Over the past 23 years, we have worked with different federal and provincial governments and we have made many achievements in eastern Prince Edward Island.

I want to thank all the people of the Cardigan riding who have stood with me, from the people who have served at the constituency level to all the people who have voted for me and provided me with this great opportunity. It is truly an honour to represent the people of Cardigan in the House, and I look forward to many more years of working together to create a better standard of living for the people of eastern Prince Edward Island.

I would also like to thank all of the colleagues I have worked with over the years on all sides of the House. It has been an honour to work with them in the past and the present, and I look forward to working with them in the future.

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● (1405)

### RECOGNITION OF SERVICE

**Mr. Daryl Kramp (Prince Edward—Hastings, CPC):** Mr. Speaker, today I am doubly proud to congratulate two gentlemen from the riding of Prince Edward—Hastings who have recently been awarded prestigious honours for their service to Canadians.

On November 4, Dr. Robert McMurtry of Picton became a member of the Order of Canada.

Dr. McMurtry, an orthopedic surgeon, created Canada's first trauma unit at Sunnybrook Hospital and has been instrumental in strengthening health care delivery in Canada and making a positive difference in the lives of others.

As well, Mr. Martin Vermeer, a retired Canadian Forces veteran, recently received the Minister of Veterans Affairs Commendation. Throughout his lifetime Mr. Vermeer served the community of veterans with distinction and dedication.

On behalf of my constituents from Prince Edward—Hastings and all Canadians, I say congratulations to Dr. McMurtry and Mr. Vermeer.

### ATTAWAPISKAT STATE OF EMERGENCY

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, it has been three weeks since the Attawapiskat First Nation declared a state of emergency, and in those three weeks, not a single federal or provincial official has even bothered to visit the community. Not a single aid agency has stepped forward with logistical support, but in Attawapiskat, conditions have gone from bad to worse.

Temperatures have dropped 20 degrees. They are likely to drop another 20 degrees in the coming weeks. Families in non-insulated tents and families in makeshift sheds without water or electricity are facing immediate risk. “Immediate risk” is the language being used by medical officials in the community, meaning immediate risk from infection, from disease and from fire.

There are children who are using a bucket for a toilet. This is unacceptable in Canada, and it is unacceptable that although their territory holds the richest diamond mine in the western world, those royalties go to Queen's Park and Ottawa, and nothing comes back to help this community get on its feet.

Where is the action plan to help the people of Attawapiskat?

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### RECOGNITION OF SERVICE

**Mr. Randy Hoback (Prince Albert, CPC):** Mr. Speaker, I rise today to give tribute to an honoured Canadian, the Reverend Sandy Scott.

Reverend Scott will be awarded the Meritorious Service Medal by His Excellency the Governor General this coming January.

Sandy served with a team of six Canadian chaplains in Kandahar, Afghanistan, from the fall of 2009 to the spring of 2010.

In October Captain Scott was promoted to major, following his appointment as the deputy area chaplain of Land Forces Western Areas. He also recently received an award of merit from the City of Prince Albert during its 43rd Armistice Day Ball.

Sandy continues to serve in Prince Albert as Reverend Scott of St. Paul's Presbyterian Church, as padre for the Royal Canadian Legion and as the Prince Albert Police Service chaplain.

On behalf of all colleagues in the House of Commons, I thank Sandy for his service to Canada, his service to our soldiers and his continued service to our community.

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### BUCKAM SINGH

**Ms. Eve Adams (Mississauga—Brampton South, CPC):** Mr. Speaker, I rise in the House today to pay tribute to a great Canadian and one of the true heroes of the Sikh community in my riding of Mississauga—Brampton South.

Private Buckam Singh is one of only ten Sikh Canadian soldiers to have fought with a Canadian regiment during the First World War.

Private Singh's story had been forgotten over time, until his victory medal was discovered in a thrift shop by Sandeep Singh Brar of Brampton.

### Statements by Members

Through hard work, Mr. Brar was able to help piece together Private Singh's story and trace it to his gravesite in Kitchener, where he is the only known Sikh Canadian soldier from either the First or Second World War to be buried on Canadian soil.

Private Singh has rightfully become part of our Canadian military history, and his story should be told as yet another example of the courageous women and men in our armed forces who stood up to defend the freedoms Canadians are so blessed to have.

I hope everyone in the House today will join with me in saluting Private Singh and his sacrifice and bravery.

Lest we forget.

\* \* \*

● (1410)

[Translation]

### WHITE BIRCH PAPER

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, last Wednesday, the 600 workers at White Birch Paper learned that the Quebec City mill, located in my riding, will be temporarily shut down two weeks before Christmas. This mill is running at full capacity with three shifts and a full order book.

Brant Industries, which owns White Birch Paper, is being sued in the United States by creditors of a paper mill for imposing astronomical management fees.

The receiver, Ernst & Young, has indicated that White Birch Papers has \$53 million in cash assets.

When will we stop tolerating the behaviour of the Gordon Gekkos of the world? Just like the famous character in the movie *Wall Street*, Peter Brant has no regard for the interests of thousands of workers, retirees and people who do business with White Birch Papers. This anti-social behaviour is unacceptable. We cannot put up with these thousands of human tragedies caused by the whims of a single man.

On May 2, Canadians were vocal about their distaste for the repeated abuses and the reprehensible complicity we have seen from government.

This must stop.

\* \* \*

[English]

### CANADIAN WHEAT BOARD

**Mr. Bob Zimmer (Prince George—Peace River, CPC):** Mr. Speaker, it has been my honour to be part of the legislative committee tasked with focusing on the marketing freedom for western farmers act.

When implemented, this legislation will allow western Canadian grain farmers, including those in the B.C. Peace River region, the opportunity to finally decide when, where and how they sell their product.

We are not killing the Canadian Wheat Board, but quite the opposite: we are allowing it to compete in an open market.



### *Statements by Members*

I think David Wuthrich, president of the BC Grain Producers Association, said it best in a local news article:

We want choice, it's not that we want them to disappear. This is their opportunity to show they are the best option, and so far they haven't done that.

I personally agree with Mr. Wuthrich, but we do have a long way to go and a short time to get there. I am proud to say this freight train of freedom is coming soon to western Canadian wheat farmers near us.

\* \* \*

[Translation]

### **POVERTY**

**Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP):** Mr. Speaker, I find the continued existence of and the increase in poverty in Canada extremely worrisome.

According to the Hunger Count 2011 Report, released on November 16 by Banques alimentaires Québec, the use of food banks has increased by 22% in Quebec since 2008. What is more, 15.6% of people used a food bank for the first time. Nearly three times as many seniors are using food banks and nearly half of the households asking for help are families with children. This situation is very troubling.

In my riding, unemployment is high and the population is aging. These factors obviously affect the need for food aid. The Louiseville organization called Le Noël du pauvre has noticed an increase in requests for help.

I feel it is our duty, as elected members, to work to implement measures that will fight poverty in Canada. I am committed to doing just that, as are my NDP colleagues, and I urge the government to do the same.

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[English]

### **TRADE**

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Mr. Speaker, the NDP opposes creating jobs and attacks Canada abroad. The anti-trade NDP has a long history of attacking Canadian jobs, whether it is mining, the seal industry, forestry, automobile manufacturing, long haul trucking, GM food producers or the nuclear or oil and gas segments of the energy sector. All were opposed.

The NDP pretends to be mainstream but it is clear that the NDP is just a political front for the narrow interests of public sector union bosses and radical activists.

The fact that the NDP is focused on special interest groups and anti-Canadian activists tells us everything we need to know. The NDP opposes creating jobs. Worse, in this time of global economic uncertainty, it is actively attacking Canada abroad. The NDP members should be ashamed of themselves. It is obvious that they are not fit to govern.

Our Conservative government is focused on job creation and economic growth. While the NDP tries to hurt Canada, our

Conservative government stands with Canadians for the best interests of Canada.

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### **STEPHEN TURNER MEMORIAL FUND**

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I rise today in the House to recognize the Stephen Turner Memorial Fund. Stephen Turner was a UPEI and Holland College graduate, a community leader, a great Liberal and a friend to all whose life was taken far too soon in his youth.

Stephen gave so much of himself to his community that it seems only right that he continue to give even in his passing. Stephen's friends and family have made sure that his memory and character stay alive by encouraging the values of leadership, political participation and academic success of youth on Prince Edward Island.

The memorial fund in his name in the form of a scholarship will be awarded annually to a student who attends an Island post-secondary institution and who has shown interest within and commitment to the political process and community organizations on P.E.I.

On behalf of Islanders and this House, I thank Stephen's friends and family who so kindly created this memorial fund so that Stephen's legacy as a community leader could live on.

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● (1415)

[Translation]

### **CRIME**

**Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC):** Mr. Speaker, every man, woman and child has the right to respect, dignity and pride. Every year, innocent people are the victims of heinous crimes. These crimes have a serious impact on their lives, their loved ones and our entire society.

I would like to commend Senator Boisvenu for all the hard work he has done to inform Canadians about the real purpose and scope of Bill C-10. Like dozens of organizations, Senator Boisvenu truly cares about the safety of our young people and vulnerable populations. He wants to protect them from drug problems and prevent repeat sexual offences at all costs. We have the power and the duty to act, and we encourage all organizations to join our fight to prevent what cannot be undone.

\* \* \*

[English]

### **CONSERVATIVE PARTY OF CANADA**

**Mr. Dan Harris (Scarborough Southwest, NDP):** Mr. Speaker, when in opposition, the Conservatives were outraged by an arrogant government that hid from the opposition by invoking closure. Now they have done it nine times since the election.

The Minister of Public Safety once said:

For the government to bring in closure and time allocation is wrong. It sends out the wrong message to the people of Canada. It tells the people of Canada that the government is afraid....

The Minister of Canadian Heritage decried, "...the arrogance of the government in invoking closure again".

The Minister of Citizenship and Immigration once called it, "...yet more unfortunate evidence of the government's growing arrogance..."

I have one more quote by the Prime Minister who said, "...the government is simply increasingly embarrassed by the state of the debate and it needs to move on".

Those out of touch Conservatives came here to change Ottawa. Instead, Ottawa changed them. In six short years they have become everything they used to oppose.

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### JUSTICE

**Mrs. Nina Grewal (Fleetwood—Port Kells, CPC):** Mr. Speaker, recently there have been several troubling cases of dangerous individuals being released into our communities.

When it comes to keeping the most serious violent offenders off our streets, Canadians can count on this government. We introduced and passed the Tackling Violent Crime Act which strengthened provisions against repeat violent and sexual offenders.

With the introduction of the safe streets and communities bill, our government is taking further steps to ensure that the most serious violent offenders are kept off our streets. This important legislation would give the Parole Board of Canada new powers to keep Canada's most dangerous offenders behind bars where they belong.

The NDP, on the other hand, have tabled amendments that would mean lighter sentences for those who import hard drugs. It is time for the opposition to put an end to its delaying tactics and support our efforts.

## ORAL QUESTIONS

[English]

### INFRASTRUCTURE

**Mrs. Nycole Turmel (Hull—Aylmer, NDP):** Mr. Speaker, the Canadian economy faces many challenges, and one of them is the infrastructure deficit.

New federal rules, like the waste water regulations, are being imposed on municipalities without any new investments. This is an opportunity right now to inject new money into the economy and fix some major infrastructure problems. Municipalities cannot do it on their own.

Why not stimulate the economy by helping municipalities to meet new water standards?

● (1420)

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, waste water regulations are being put forward and designed to ensure that Canadians have safe water when and where they need it. Those regulations are responsible in the way in which we are doing it.

### Oral Questions

The Leader of the Opposition is right in the sense that these regulations need to be twinned with investment with regard to infrastructure for water. The problem is that the NDP has voted against every dime of new investment that we have made to ensure that water gets to Canadians safely.

It is true that we need to have effective regulations. We do have to have responsible regulations. It would be nice if the NDP offered solutions and supported both.

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[Translation]

### COST OF FEDERAL MEASURES

**Mrs. Nycole Turmel (Hull—Aylmer, NDP):** Mr. Speaker, the Conservatives' strategy to implement measures and make others pay for them is not a sustainable strategy. For example, employment insurance eligibility criteria that are too stringent are forcing people to seek provincial social assistance. The waste water treatment regulations are forcing municipalities to buy equipment that they cannot afford. The Conservative crime strategy is to force the provinces to build prisons.

When will the government foot the bill for its own ambitions?

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, the hon. member spoke about a number of files but let us be clear: we are making sure we take a responsible approach with each province. The provinces are responsible for delivering the goods on the ground. That is why we are working with the provinces when it comes to crime, investment in waste water treatment and other things. We are working with the provinces, not against them. Our history, our heritage and our commitment in these matters clearly demonstrates that such is currently the case, and we will continue to work with the provinces.

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### INFRASTRUCTURE

**Mrs. Nycole Turmel (Hull—Aylmer, NDP):** Mr. Speaker, the Conservatives may be working with the provinces but they are not listening to them.

Public infrastructure is the backbone of our economy. After years of under-investment, the infrastructure deficit is blatantly obvious. It is upsetting our economy; our communities are suffering and will pay the price. Municipalities own 53% of Canada's infrastructure but collect only 8% of the taxes. The federal government must do its part to upgrade infrastructure. It would be good for employment and the economy. It would be good for public health and safety. It is a profitable investment.

Will the government make this commitment?

[English]

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, we are engaged on all of these files. The infrastructure deficit that our government inherited from the previous Liberal government is being tackled aggressively and responsibly by this government.



### Oral Questions

As a matter of fact, when we put in place our economic action plan we had the largest investment in Canada's infrastructure than any government since the second world war. That has resulted in projects across the country. By the way, on an equal basis across the country, moving forward, we are working with the provinces on all of these projects.

More than that, it was not just a one-time investment. We have made the gas tax transfer to municipalities permanent, which means that over \$2 billion are going directly to the municipalities so that municipal governments can decide for themselves what projects are their priorities rather than having—

**The Speaker:** The hon. member for Burnaby—New Westminster.

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[Translation]

### THE ECONOMY

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, 72,000 jobs were lost in October alone. The cost of living continues to rise and household debt has hit a record high. How do you expect families to save for their retirement when they have to pay off their credit cards and are having trouble finding work? This government has the gall to say that its plan will help millions of Canadians. What is this government doing? Nothing, except helping its friends in high places.

When will this government finally trim the fat from its friends and come up with a real recovery plan for the Canadian economy to create jobs here in Canada?

[English]

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, I would remind the hon. member that we did come up with a real economic action plan but his party voted against that. We put forward a second economic action plan and those members voted against that, too.

I will refer exactly to what the member's question was about. We are putting forward a pooled registered pension plan that would actually be available, accessible and economical for over 60% of the workforce in this country that does not have a workplace pension plan right now. I certainly hope those members will not vote against that.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, the reviews are in on the Prime Minister's failed pension scheme. The Conservative plan will not fix the problem with Canada's retirement system. As the *Toronto Star* says, "It's hard to see how they can make that claim with a straight face". A simple, gradual, affordable increase to the stable guaranteed Canada pension plan would help every Canadian retire with dignity. Instead of paying for tax cuts to friends of the Conservatives, the CPP is what Canadians should invest in.

When will the out-of-touch government stop playing retirement roulette and strengthen the one pension plan families can rely on, which is the CPP? It promised to strengthen it. Why does it not do so? Why does it not strengthen the CPP?

• (1425)

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, we actually have been working with the provinces to develop a plan that works for both the provincially-regulated and federally-regulated. Let me read a quote from the Canadian Federation of Independent Business. It stated:

A new voluntary, low-cost and administratively simple retirement savings mechanism will allow more employers, employees, and the self-employed to participate in a pension plan....PRPPs have the potential to expand the retirement savings options for thousands of Canadian small businesses and their employees.

That is a quote worth listening to.

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### EMPLOYMENT INSURANCE

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, the sovereign debt problem keeps rolling across Europe, from Greece to Italy and now Spain. In the polarized politics of the United States, they are headed into yet another damaging game of fiscal chicken. Global economic risks are rising and here in Canada our growth rate, job numbers and job quality are all getting worse.

Still, on January 1, the government will increase EI payroll taxes by another \$600 million. At this critical moment, will the government listen to the Canadian Federation of Independent Business and stop this job-killing Conservative tax increase?

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, the truth is our government's record is crystal clear. We are the government that has lowered taxes more than any other government across the country and we have done so in ways that have benefited the Canadian economy. In fact, Canada's tax regime is, indeed, the envy of the world because we have the most competitive tax rate. *Forbes* magazine has said that Canada is the best economy in the world in which to do business. We are moving forward. We are going in the right direction.

The member opposite mentioned things on the exterior that we cannot control and things within Canada that we can control. One thing we can control is the vote that will take place tonight with regard to the next phase of Canada's action plan. If he believes in lower taxes, he will stand with this government and lower taxes on Canadians.

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, to be clear, Liberals reduced EI premiums every year for 12 consecutive years, for a total saving of \$4,000 for every employee, \$5,500 for every employer, a Liberal tax cut in total of \$60 billion. The Conservatives have done the opposite, raising job-killing payroll taxes just when jobs are most vulnerable.

Why will the government not hold the line on payroll taxes and help create jobs instead of spending billions upon billions for bigger jails and untendered fighter jets?

*Oral Questions*

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, the member for Wascana is still trying to fight the last federal election. The public rendered its decision. It does not trust the Liberals with the economy and that is why they are sitting over there. That is why we were re-elected, with a majority government, to focus on the economy, and we are getting the job done.

Specifically with regard to the question of EI, we have put forward a project to ensure that 500,000 businesses that want to employ Canadians will have tax relief in this budget. The Liberals stand opposed to that. If they believe in it, they should stand and support our budget tonight, this week and moving forward to lower taxes on businesses.

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, the Conservatives increase EI premiums by \$1.2 billion and then give back \$160 million. It is hardly a fair deal.

It is all about priorities. The Conservatives have ballooned the size of the federal government by more than one-third. Their annual program spending is up by \$65 billion, a whopping 37%, and more than half of that increase happened before, not because of any recession. Still family incomes are stagnant. Most Canadians do not have a decent pension. The gap is growing between the very wealthy and everybody else.

Why do bigger jails seem more important to the government—

**The Speaker:** The hon. Minister of Canadian Heritage.

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, let us talk specifically about our proposals, what is at stake and what the Liberals are standing against. We are putting in place a family caregiver tax credit to help families with the cost of raising their families and taking care of their responsibilities, a children's arts tax credit, a volunteer firefighter tax credit for volunteer firefighters who stand up in public and ensure we have the services that we need in times of crisis. We want to give them a tax credit. The Liberals are standing against that. We want to have a tax credit for small business. We want to make the gas tax fund permanent to municipalities so municipal governments can take care of their responsibilities as well.

We are taking care of our responsibilities. We were elected to do it and we will deliver it in spite of—

**The Speaker:** Order, please. The hon. member for Timmins—James Bay.

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**G8 SUMMIT**

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, over the last number of months, the Conservatives have tried out a whole whack of excuses to explain the outrageous behaviour of the Muskoka minister. No line has been more bizarre than at least “every penny was well spent”. We know that \$3,000 was spent to put up a chandelier, \$1,500 to move a bed and a new fridge just for the flowers. No wonder the Muskoka maverick thought he got a good deal when he shelled out \$100,000 for a gazebo.

Will the minister explain why \$2 million of taxpayer money was spent on renovating his friend's hotel?

• (1430)

**Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC):** Mr. Speaker, Canada hosted the world's leaders for an important summit. When hosting the leaders of the G8 countries and thousands of other guests, it is expected that some adjustments would be made to accommodations. Every invoice was reviewed by professional public servants, as is always the case, before money went out the door.

The summit is already paying dividends on important initiatives such as our maternal and child health initiative.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, the new Mr. Nobody does not have the facts right. The civil servants were not allowed to review it. It was reviewed by the three amigos. There was the minister who got to play Daddy Warbucks, the hotel manger who got a \$2 million renovation right before the property was flipped for \$26 million and there was the mayor who walked away with two giant white elephants.

When will the member stand, be accountable and show us the documents that allowed this boondoggle to come forward?

**Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC):** Mr. Speaker, the important thing to point out is that every invoice was reviewed by professional public servants, as is always the case, before money went out the door. The summit is already paying dividends on important issues, such as maternal and child health initiatives, and that member should support those initiatives.

[Translation]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, thanks to the NDP we now know that the G8 summit resulted in an incredible waste of public money, perhaps the worst since the sponsorship scandal. Canadians want to know why no one has been punished. In addition to the gazebos, Olympic-sized skating rinks, fake media centres—there is no end to the list—we have just learned that the Deerhurst resort received millions of dollars in public money to make cosmetic changes that cost us an arm and a leg. The government paid exorbitant amounts to move a bed or a chandelier and of course, once again, taxpayers footed the \$2 million bill.

Can the President of the Treasury Board explain to Canadians what was the cost value of the G8 fiasco that was held in his riding?

[English]

**Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC):** Mr. Speaker, it was a great honour for Canada to host the G8 summit. When hosting the leaders of the world's great economies, it is expected that some adjustments must be made for their accommodations. Every invoice was reviewed by professional public servants, as is always the case, before the money went out the door.



*Oral Questions**[Translation]*

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, history never repeats itself, but it sometimes follows a similar script.

It seems that the President of the Treasury Board was not the only one to profit from the G8 summit in his riding. The Deerhurst resort also won the G8 lottery by getting \$2 million in free renovations. Less than nine months later, this hotel was sold for \$26 million. We know why: because it did not have to pay for the renovations itself.

Is that the Conservatives' tax plan: take public money and distribute it to its friends in the private sector? Can the member for Parry Sound—Muskoka explain why public money was spent to line the pockets of an individual?

*[English]*

**Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC):** Mr. Speaker, perhaps the member has never hosted international guests in his home. When one does that, accommodations are made for guests, especially when they are leaders of the great economies of the world. The important thing to remember is that every invoice was reviewed by professional public servants, as is always the case, before money went out the door.

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**FOREIGN AFFAIRS**

**Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP):** Mr. Speaker, the UN estimates that over 3,500 civilians have been killed in Syria during the government's crackdown. Today the Security Council is debating sanctions against Syria. For Canada, failure to win a seat on the Security Council is not an excuse for inaction.

Will the government reach out to Russia and China to join others in the international community working to end this regime's violence against its own people?

**Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC):** Mr. Speaker, the campaign of terror and violence against the Syrian people must stop. Canada again calls on President al-Assad to step down immediately.

Canada stands with the Syrian people in their efforts to secure freedom and democracy. Our government will continue to work with our allies to bring diplomatic pressure to the Syrian government, including bringing forth stronger economic sanctions.

● (1435)

*[Translation]*

**Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP):** Mr. Speaker, we need more than just promises and rhetoric.

The sanctions imposed against Syria in October were supposed to send a strong message to the Bashar al-Assad regime, but Suncor, which is working with the Syrian state oil company on a \$1.2 billion project, said that its operations were not affected.

Will the government ensure that the new sanctions against Syria will prevent its friends from doing business as usual when millions of civilians are being killed?

*[English]*

**Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC):** Mr. Speaker, Canada has taken decisive action by imposing sanctions that directly target members of the current Syrian regime and those who provide it with support. We are currently working with our allies to bring diplomatic pressure to bear. We will be bringing forth further stronger economic sanctions.

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**NATIONAL DEFENCE**

**Mr. Matthew Kellway (Beaches—East York, NDP):** Mr. Speaker, the government has taken arrogance and secrecy to a new low. Without letting Canadians know, the Conservatives are throwing half a billion dollars into a new U.S. military satellite. We, in the House, had to find out about this program from the media.

On what grounds does the government feel free to spend hundreds of millions of dollars on military projects, without telling anyone? Would the minister please advise the House and Canadians today what this satellite will be used for?

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, our missions in Afghanistan and Libya have proven that advance secure communications is critical to the success of modern day military operations. The Canadian contribution to this international partnership would guarantee our Canadian Forces the capacity to communicate securely and officially during operations when lives are at stake.

Our investment fits with the Canadian Forces' existing budget and will result in supporting and creating skilled Canadian jobs across the country.

**Mr. Matthew Kellway (Beaches—East York, NDP):** Mr. Speaker, what Canadians and what we in the House need to know is what forces, and when, are we talking about communicating with?

Canadian families deserve a better explanation for a half billion dollar expenditure than that. They deserve to know, and we all deserve to know, why the Conservatives are pursuing another risky military project shrouded in mystery. How many more boondoggles before the government finally wises up?

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, neither is it a secret nor is it a boondoggle. Negotiations on this memorandum of understanding continue. Obviously it is out in the open. The media knows about it. I am surprised the hon. member did not find out otherwise.

We expect the opposition to support giving our men and women in the Canadian Forces the capabilities they require to complete their missions successfully and safely.

*[Translation]*

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, a number of countries have already indicated they no longer want the F-35s, but this government seems determined to procure them.

Some U.S. senators have expressed concern over the cost of these planes, but this government does not even want to tell us how much they will cost. In fact, all we know is that the cost keeps going up as more and more countries withdraw from the program. We also know that these planes are not compatible with the nature of the Canadian landscape and they will not operate well in the Arctic.

The Associate Minister of National Defence said that he has a plan B for the F-35s. Since plan A has failed, can he tell us more about plan B?

[English]

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, I do not know from what comic book our hon. friend is reading. All reasonable people agree that the Canadian Forces require a fighter that is able to meet the challenges of the 21st century.

Let me quote U.S. Secretary of Defence Panetta, last Friday, when he said, "Let me be clear, that the United States is committed to the development of the F-35".

I witnessed first-hand the aircraft coming off the production line with parts stamped "Made in Canada".

\* \* \*

### THE ENVIRONMENT

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, it is difficult to believe that in 2011 many of our harbours, including Charlottetown's, are still receiving raw sewage. New federal environmental rules force municipalities to treat raw sewage and we welcome that. However, these regulations mean additional costs to communities that are already strained with aging infrastructure.

The government has known for years that these new regulations would force municipalities to spend enormous dollars to fix their treatment plants, but it has yet to come to the table to assist.

Could the minister indicate when he plans to announce an infrastructure plan to clean up Canada's harbours?

• (1440)

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, let me remind my colleague that our government has invested more than \$3 billion in waste water management and waste water infrastructure, and on top of that have increased and made permanent more than \$2 billion a year in terms of gas tax refunds aimed at infrastructure.

The Charlottetown share of the infrastructure money from the gas tax rebate will be \$3 million annually. Municipalities and the provinces have to do their part to make waste water management their priority.

[Translation]

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** Mr. Speaker, it is unbelievable that, in 2011, raw sewage is still being dumped into Canadian waters. We are pleased to see proposed regulations for the waste water from our towns and villages, but the government has forgotten to provide those towns and villages with the necessary means to comply with those regulations.

### Oral Questions

The mayor and council of the second largest municipality in Nova Scotia are risking imprisonment because they do not have the means to pay for new sewage treatment plants.

Why has the government not come up with a funding formula for water infrastructure in Canada? Why this shortfall?

[English]

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, as I just told my hon. friend's colleague, in fact the municipalities and provinces have to do their part to address waste water management issues.

As I just said, the province of Prince Edward Island will get \$15 million in gas tax rebate money this year and \$3 million is the fair share for Charlottetown. All of these costs could be easily managed if only municipalities made waste water management a priority.

\* \* \*

### NATIONAL DEFENCE

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, the Minister of National Defence just dropped the better end of half a billion dollars on a U.S. military satellite system not listed in any procurement program.

The minister said it was to foil cyber attacks on commercial information, a claim which has since been denied by both military and intelligence experts.

For half a billion dollars, can the House assume that there will be substantial guaranteed industrial regional benefits, and can the House assume that contracts will not be subject to buy American and ITAR provisions?

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, as I indicated earlier, operations in Afghanistan and Libya have proven that advanced secure communications are critical to the success of modern day military operations.

We are doing everything we can to support our men and women in uniform, so that they can carry out their tasks in a safe environment. Communication is a critical aspect of our commitment to those men and women.

\* \* \*

### ASBESTOS

**Mr. Claude Gravelle (Nickel Belt, NDP):** Mr. Speaker, cracks are starting to appear in the Conservative caucus over the Prime Minister's support of deadly asbestos.

Conservative MPs are willing to risk the wrath of the Prime Minister and go behind his back to meet asbestos experts. Public health officials disagree with the Conservatives' dangerous approach. Scientists and doctors disagree. The Canadian Cancer Society disagrees. Canadians disagree.

When will the government take action to ban deadly asbestos?



*Oral Questions**[Translation]*

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, for over 30 years, the Canadian government has supported the safe use of chrysotile. We are talking about risk management. Recent scientific studies have shown that chrysotile can be used safely when it is used in a regulated and controlled environment.

This government will continue to act in the best interests of Canadians, while promoting the sustainable and safe use of our natural resources.

**Mr. Claude Gravelle (Nickel Belt, NDP):** Mr. Speaker, the minister can feed us the same old lines, but that cannot hide the cracks showing in the Conservative ranks.

The Conservatives are wondering the same things as all Canadians. How can the government continue to export asbestos even though the risks are known? Why is the government abandoning workers in regions that produce asbestos?

Will the government present a plan to help these regions make the economic transition?

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, we are talking here about safe use, which means risk management. Recent scientific studies have shown that chrysotile can be used safely in a controlled environment that is properly regulated, either at the national or international level.

\* \* \*

● (1445)

**THE ENVIRONMENT**

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, this week in Bali there is a major conference to discuss protecting the ozone layer. Chances are that Canada will not be able to keep its commitments. Even though scientists have found a huge hole above Canada, cuts are being made to the ozone monitoring program and the minister is refusing to make his intentions clear.

When will the minister present a plan to protect the ozone layer and Canadians?

*[English]*

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, again, my colleague asks the hypothetical question with a hypothetical worst outcome. In fact, Environment Canada will continue to monitor ozone. The World Ozone and Ultraviolet Radiation Data Centre in Montreal will continue to provide world-class service.

Once again, I make no apologies at all for our government attempting to find the most cost-effective ways to protect the environment.

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, when will the government realize that science is real and it cannot actually be spun like a talking point? There is a hole in the ozone over the Arctic, twice the size of Ontario, and action on the ozone is fundamentally necessary right now.

Instead, we learn that senior government officials are signing memos verifying the importance of ozone protection programs in Canada one minute and then justifying Conservative cuts as streamlining and optimization.

When will the government get its act together and realize that streamlining the Department of the Environment hurts all of us?

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, my colleague is quoting a media story which took a particular quote out of context.

As I said, Environment Canada will continue to monitor ozone. Canada has played a leadership role in helping to create and to manage the Montreal protocol which has been very successful over the decades in phasing out nearly all ozone depleting substances. Canada will continue to play a leadership role.

\* \* \*

**CANADA-U.S. RELATIONS**

**Mr. Gordon Brown (Leeds—Grenville, CPC):** Mr. Speaker, New York State is threatening to shut down the St. Lawrence Seaway with job killing shipping rules impossible for industry to meet or agencies to enforce. The U.S. and Canada jointly enforce the rules to ensure that ships do not bring in invasive species, I mean species.

In his new role, advising the Minister of Transport on ballast water, could the parliamentary secretary please update us on his meetings on Friday in New York? And I meant invasive species.

**Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC):** Mr. Speaker, I congratulate the hon. member for his excellent work and shame on the Speaker for invading the House in that way.

Last week, we forged an alliance with New York longshoremen workers, industry leaders and state legislators, led by Democratic Senator Diane Savino. We now have a consensus among labour and business against these job killing rules. New York Assemblywoman Nicole Malliotakis said that this policy would result in the loss of hundreds of thousands of jobs and would have a disastrous effect on the Great Lakes region, surrounding states and Canada as well.

There are 55,000 Canadian jobs at stake and we will fight for every single one of them.

\* \* \*

**ROYAL CANADIAN MOUNTED POLICE**

**Mr. Jasbir Sandhu (Surrey North, NDP):** Mr. Speaker, the RCMP has received a gag order from the Minister of Public Safety. Now all RCMP public comments must be vetted first by the minister's office. This will interfere with the independence of the RCMP and their ability to comment on anything the minister thinks is controversial. The government's answer to future RCMP scandal is to muzzle their ability to talk to Canadians.

*Oral Questions*

Why the gag order? Does the minister have something to hide?

**Ms. Candice Hooppner (Parliamentary Secretary to the Minister of Public Safety, CPC):** Mr. Speaker, as a government it is our responsibility to communicate with Canadians. Co-operation between departments and agencies is standard procedure and practice. This is another sad attempt by the NDP to have a drive-by smear of the RCMP and it is a shame. It shows the NDP is not fit to govern.

[Translation]

**Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP):** Mr. Speaker, the comments by the Parliamentary Secretary to the Minister of Public Safety are shocking. The last thing the RCMP needs is political interference. The RCMP must be allowed to do its job. Canadians expect the RCMP to provide accurate information, not engage in public relations. Once again, by trying to muzzle the RCMP, the government has gone too far. It is clearly intervening in the work of an independent body.

Will the minister respect the RCMP's independence and put an end to this new protocol?

● (1450)

[English]

**Ms. Candice Hooppner (Parliamentary Secretary to the Minister of Public Safety, CPC):** Mr. Speaker, Canadians respect and appreciate the work that is done by the RCMP. It would be good if the NDP would do the same thing. This kind of co-operation between departments and agencies is standard procedure. It is normal protocol.

Let us stand behind our law enforcement and not do these kinds of shameful drive-by slurs.

\* \* \*

## JUSTICE

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, the Prime Minister continues to thumb his nose at the provinces with his sledgehammer approach to justice. Quebec has had to plead with the justice minister just to get a meeting before the government forces its prisons agenda through committee this week.

Paying lip service is not enough. Will the government actually listen to the provinces that want to bring changes about in Bill C-10? Will it be a partner with the provinces or will it continue to turn its back on them?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I will point out what one justice minister said just in the last week or so. He said:

The point I would make to everybody is these are things that were asked for by most provinces when we went through federal-provincial-territorial ministers meetings earlier. When we had the discussions, you know, nobody came and said, well, don't do it unless you agree to pay for it. Everybody said these are things that we need to make our communities safe—

This was by Don Morgan, minister of justice and attorney general for Saskatchewan. It is a part of Canada as well.

[Translation]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, the Quebec justice minister is returning to Ottawa tomorrow to ask the

government, for the umpteenth time, for a positive response to the amendments to Bill C-10 that Quebec is seeking. Quebec refuses to pay the costs associated with this Conservative ideology, which is mocking Quebec's 40 years of experience when it comes to long-term protection of the public. For months now we have been telling this government repeatedly that its crime agenda is misguided, particularly when it comes to young offenders. Will the minister finally listen to the provinces, the experts and the official opposition, thereby practising real open federalism?

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, this is not the first time we have welcomed Minister Fournier to discuss the important steps we are taking to protect the public. The provinces, including Quebec, made many recommendations that we took into consideration when drafting this bill to protect the public.

Our approach is balanced. It strikes a balance between prevention and enforcement, and it emphasizes rehabilitation. Nothing in this bill undermines Quebec's ability to enforce the law as it sees fit. The goal is to protect the public. As we know, that phrase is not in the NDP's vocabulary.

\* \* \*

[English]

## THE ENVIRONMENT

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, an access to information request has uncovered a government briefing note titled "Ozone monitoring cuts". The brief says that there is no duplication in the ozone measurement network.

Why then did the assistant deputy minister tell the public the networks will be consolidated and streamlined? Why has the government said that there are no cuts to ozone monitoring when its briefing note reveals the truth?

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, I would once again encourage my colleague to use better sources in the research of her questions in the House. The quotation in question was taken out of context. It was taken completely out of context.

Environment Canada will continue to monitor the ozone. As I have said many times before, the World Ozone and Ultraviolet Data Centre will continue to deliver world-class services.

[Translation]

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, I had prepared a question for the Minister of the Environment about this troubling memo and the contradictions in his responses. These political non-answers lead me to ask a basic question on the minister's knowledge of this important issue.

[English]

Could the minister explain to the House what ozone is and what is the difference between its impact at low altitude and high altitude? I just need to know that he understands the issues.

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, if there are any shortcomings in this House, it is in the quality of the questions from the Liberal opposition.



### Oral Questions

This government would gladly compare our record on the environment, in all its dimensions, to—

• (1455)

**Mr. Justin Trudeau:** You don't know what ozone is.

**The Speaker:** Order. The Minister of the Environment has the floor. We will have a little bit of order.

The hon. Minister of the Environment.

**Hon. Peter Kent:** Mr. Speaker, to complete my answer, again, the opposition is using a questionable media source quotation of one of my staff that has been taken out of context.

\* \* \*

### FISHERIES AND OCEANS

**Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP):** Mr. Speaker, the Minister of Fisheries and Oceans has finally admitted what the rest of us already know, that the fishery is broken.

The five years of Conservative mismanagement after a decade of Liberal negligence cannot be reversed. By tearing up the Fisheries Act, firing scientists, laying off fisheries staff and turning out the lights will not put fish back in the sea or food on fishermen's tables.

The fishery is broken. Will the Conservative government finally support our fishing communities and put forward a concrete plan to fix it?

**Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, we know that the average age of our fishers is increasing, the same for our plant workers and a declining number of new entrants into the fishery.

It is a serious situation, one that we can change through modernization and efficiencies in the Department of Fisheries and in the fishery itself. If we are to make any difference in the future of the fishery, we need to make changes today.

\* \* \*

[Translation]

### EMPLOYMENT

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, the hon. member for Madawaska—Restigouche and Minister for ACOA is basically calling seasonal workers in the Atlantic provinces lazy by saying that they work only the minimum number of hours required to receive employment insurance benefits. And, despite all the job losses, the government has no concrete plan to help workers.

Rather than insulting workers, will the minister withdraw his statement and force the Conservative government to adopt concrete measures to create employment? What the minister said was shameful.

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, that is completely untrue.

During the global recession and as a result of that recession, the workers and skills required by the industry were still in short supply. That is why, in our economic action plan, we introduced training for workers who have lost their jobs. Through this training, we have helped over 1,000 workers to acquire the skills they need today and

in the future. The NDP voted against these initiatives. We also extended the initiative for older workers to help them to return to the labour market. The NDP voted against this as well. Why is the NDP voting against workers?

\* \* \*

[English]

### INTERNATIONAL CO-OPERATION

**Mrs. Tilly O'Neill Gordon (Miramichi, CPC):** Mr. Speaker, our government has placed unprecedented focus on the health of mothers, newborns and children.

A major partner of the government in improving the lives of some of the world's most vulnerable people has been the World Health Organization.

At the request of the WHO, our Prime Minister agreed to co-chair the UN Commission on Information and Accountability for Women and Children's Health, which recently released a series of recommendations.

Could the Minister of International Cooperation please update the House on progress being made?

**Hon. Bev Oda (Minister of International Cooperation, CPC):** Mr. Speaker, Canada continues its leadership on maternal, newborn and child health under the Prime Minister's leadership and the head of the WHO, who we are pleased to host here in Canada today, along with the top health experts in the field of maternal and child health.

We are about accountability. We are about getting results. We are about better health for children and saving more lives.

Canadians can be proud of our continued leadership to ensure that every MNCH dollar counts.

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### PHARMACEUTICAL INDUSTRY

**Hon. Hedy Fry (Vancouver Centre, Lib.):** Mr. Speaker, the critical shortage of prescription drugs worldwide has now become a real problem.

In the U.S., the FDA set up a special committee to deal with the problem. Congress has held hearings. President Obama ordered an investigation into the pharmaceutical industry.

The Liberals have been trying to get the health committee to hold similar hearings but the government blocks it, preferring to let the pharmaceutical industry warn us as shortages arise.

This information will do nothing to get drugs to patients. Already certain cancer patients cannot get the drugs they need.

Why is the government so complacent—

• (1500)

**The Speaker:** Order, please. The hon. Minister of Health.

*Oral Questions*

**Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC):** Mr. Speaker, our government is taking a leadership role when it comes to dealing with drug shortages.

This summer, I told the drug companies that if they did not take action our government would look at regulations to require action. I am pleased to report to the House that these companies have responded positively to my request.

\* \* \*

**AMATEUR SPORT**

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, it is with great pleasure that we will all get to watch Canada's Sidney Crosby get back on the ice tonight. It took Crosby 320 days to recover from a concussion he suffered during a hockey game.

While the NHL, NFL, CFL and other leagues are getting serious about concussions, experts say that the government could do a lot more to protect our children playing sports.

When will the government finally agree to work with the New Democrats on a national strategy to reduce serious injuries in amateur sports?

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, I certainly join with my colleague in the good news that Sidney Crosby will return to the ice tonight. He was a great star for Canada at the Olympics and is a role model for Canadians on how to behave in sport.

I agree with my colleague and his persistent efforts on this subject. Our government has taken action. The Minister of State for Sport and the Prime Minister have been involved on this file to ensure that we work with amateur sport organizations, not against them, to ensure we can move forward and have strategies that make sense for individual sports. Lacrosse has a different universe of head injuries, so do football and hockey. They all have their own science and we need to ensure that the sports are safe for our kids to play.

\* \* \*

**IRAN**

**Mr. Peter Goldring (Edmonton East, CPC):** Mr. Speaker, on Friday, members of the International Atomic Energy Agency, including Canada, spoke with one voice on Iran's nuclear program. Even traditional allies of Iran voted for a resolution that holds the Iranian regime to account for again failing to live up to its international obligations.

Could the government House leader please update us on this situation?

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, we welcome the International Atomic Energy Agency resolution but, frankly, we wish it had gone further. That is why Canada is working together with like-minded countries and is today expanding sanctions against Iran.

[Translation]

Canada is working together with like-minded countries and is today expanding sanctions against Iran.

[English]

The sanctions cover the known leadership of the Iranian revolutionary guard and block virtually all transactions with Iran, including those with the central bank.

The regime in Iran poses a significant threat to regional and global peace. We will do what it takes to isolate the regime and to minimize the risk that it poses to global peace.

\* \* \*

**CHILD POVERTY**

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, yesterday was Universal Children's Day but Canadians have little reason to celebrate with one of the worst child poverty rates in the G20.

While the government claims to be supporting families, one in ten Canadian children live in poverty. The government's callous response is "just get a job".

The Conservatives just do not get it. Many have jobs, low paying, part-time jobs.

Why is the government refusing to help fight child poverty? Why has there been no action on creating the jobs that these families need?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, the real question is why the NDP has voted against every initiative we have to help families get back to work and look after their children.

Those members voted against the universal child care benefit. They voted against an increase in the national child benefit. They also voted against the WITB, the working income tax benefit, that is there to help families get over the welfare wall and encourage them to get back to work.

Why is it that the NDP will not help workers work?

\* \* \*

[Translation]

**JUSTICE**

**Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matapédia, BQ):** Mr. Speaker, unhappy that Quebec is opposed to their justice bill, the Conservatives are turning to blind partisanship. Senator Boivin, an unelected representative, is doing the dirty work.

For a week now, he has been attacking the credibility of the Barreau du Québec, questioning the competence of minister Jean-Marc Fournier and ridiculing unanimous decisions by Quebec's National Assembly.

My question is simple, and I hope to receive a very clear answer. Does the Minister of Justice approve of the inappropriate attacks being made by the unelected senator or does he condemn the derogatory comments?



*Routine Proceedings**[English]*

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, we have been very consistent. The bill that is before Parliament has been here in some cases for four years. It specifically targets those individuals in the business of trafficking in drugs and those individuals who would sexually exploit children.

Canadians from coast to coast gave us a mandate and we are following through on that mandate. I am very proud of our stand in that area.

\* \* \*

● (1505)

**PRESENCE IN GALLERY**

**The Speaker:** I would like to draw the attention of hon. members to the presence in the gallery of a delegation that is heading the 18th Canada-Mexico Interparliamentary Conference led by His Excellency José González Morfi, President of the Senate of the United Mexican States, and His Excellency Porfirio Muñoz Ledo from the Chamber of Deputies of the United Mexican States.

**Some hon. members:** Hear, hear!

**The Speaker:** I also would like to draw to the attention of hon. members the presence in the gallery of Dr. Margaret Chan, Director-General of the World Health Organization.

**Some hon. members:** Hear, hear!

**ROUTINE PROCEEDINGS***[English]***CANADIAN AUTISM DAY ACT**

**Mr. Don Davies (Vancouver Kingsway, NDP)** moved for leave to introduce Bill C-351, An Act respecting a Canadian Autism Day.

He said: Mr. Speaker, I rise today to introduce a bill respecting a national autism day. I am proud to introduce legislation that would recognize the work and struggles of those with autism. It also would recognize the challenges faced by friends and families of people with this condition, in particular, parents who raise an autistic child and all of the special people who work with and advocate for them. It is right and overdue to mark and appreciate these challenges.

So much about autism remains to be discovered and I know many in the House have called for additional funding for research, support and coverage under the Canada Health Act. I repeat these calls today. The creation of a national autism day would bring light and attention to those who fall in the autism spectrum and to those who tirelessly support a family member or friend with autism. This is a positive step we can take today. National attention and focus are important first steps to ensuring that all affected by autism have the support they need.

I ask that all members of the House support the bill.

(Motions deemed adopted, bill read the first time and printed)

**NATIONAL OFFICE FOR FIRE AND EMERGENCY RESPONSE STATISTICS ACT**

**Mr. Don Davies (Vancouver Kingsway, NDP)** moved for leave to introduce Bill C-352, An Act to amend the Statistics Act (National Office for Fire and Emergency Response Statistics).

He said: Mr. Speaker, I rise to introduce a bill that would create a national office for fire and emergency response statistics. This office would build a database to compile fire and emergency response statistics from across Canada. These statistics would be a valuable and much needed source of information that would help our firefighters and policy-makers analyze data to keep our communities safer.

Recently I met with representatives of the firefighting and emergency response community. They told me that Canada did not track fire statistics and that it was missing an important tool to help them do their jobs, keeping Canadians and firefighters safe.

Our first responders are asking us to keep comprehensive information on fire damage, fire deaths and emergency response times so they can better serve our communities.

There are many other things that the government could be doing to support our firefighters. We should implement a public safety officer compensation benefit for the families of fallen police and firefighters. We should include firefighter safety considerations in the national building code and we should expand our fire database to eventually include comprehensive information on all aspects of firefighting that could be shared across the country.

The bill is one important component of what firefighters have been asking for. I urge all members of the House to join with me in supporting our firefighters and give firefighters access to the information they need to keep us all safe.

(Motions deemed adopted, bill read the first time and printed)

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● (1510)

**EXCISE TAX ACT**

**Mr. Don Davies (Vancouver Kingsway, NDP)** moved for leave to introduce Bill C-353, An Act to amend the Excise Tax Act and the Income Tax Act (extra-energy-efficient products).

He said: Mr. Speaker, I rise to introduce a bill inspired by a young person in my riding, Hansel Fung. He, like many young people, is concerned about our excessive use of energy. This bill proposes a system of tax incentives to encourage Canadian families to lower their energy consumption.

Specifically, the bill would provide financial incentives for individual families to lower their carbon footprint by reducing their energy consumption and use. It would create an HST exemption to lower the price of household appliances deemed by regulation to be extra energy efficient.

The existing Energy Star program helps consumers make informed choices by highlighting energy efficient products, but this bill would go one step further by exempting such products from the HST. Families would be rewarded for making green choices when they purchase low-energy household appliances and products such as compact fluorescent light bulbs. This bill would also create a tax credit to be claimed at the end of the year that would allow families to deduct 10% of the cost of the purchase of low-energy appliances.

I hope all of my colleagues will join with me in supporting this bill, which will encourage a greener future for Canada and a better world.

(Motions deemed adopted, bill read the first time and printed)

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### PETITIONS

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, I have three petitions to present. The first petition is about Bill C-233, An Act to eliminate poverty in Canada.

In this petition, the undersigned indicate that poverty affects over 10% of Canadians and disproportionately affects aboriginal peoples, recent immigrants, people with disabilities, youth, women and children. Poverty leads to poor health such that individuals suffering from poverty suffer more health problems and have lower life expectancies.

There are a number of other items that they outline in the petition. They indicate that a majority of provincial and territorial governments have adopted poverty reduction strategies, but that they are limited in that they are unable to reduce poverty in their jurisdictions without support from the federal government.

They are calling on the House to ensure swift passage of Bill C-233, An Act to eliminate poverty in Canada.

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, the second petition I have has to do with An Act to amend the Food and Drugs Act (mandatory labelling for genetically modified foods). The undersigned are saying that Canadians have a right to make informed choices about the food they eat by having adequate information provided on food labels. They therefore call on the House of Commons to support An Act to amend the Food and Drugs Act (mandatory labelling for genetically modified foods).

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, the final petition has to do with banning asbestos. In this petition the petitioners indicate that Canada remains one of the largest producers and exporters of asbestos. Canada spends millions subsidizing the asbestos industry and blocking international efforts to curb its use. They are calling on the Government of Canada to ban asbestos in all its forms and institute a just transition program for asbestos workers and the communities that they live in; to end all government subsidies of asbestos, both in Canada and abroad; and to stop blocking international health and safety conventions designed to protect workers from asbestos, such as the Rotterdam Convention.

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, since March, ten Tibetans have set themselves ablaze in a symbolic yet horrific act of defiance against the Chinese government. These incidents reflect not only the dire situation facing Tibetans but also

### Routine Proceedings

the lengths to which they will go in order to sound the international alarm, which we ignore both at their peril and our own.

Petitioners note that seven of these self-immolations have been linked to the Kirti monastery in Ngaba, where Chinese security forces are present. These unprecedented and desperate acts are an attempt by the Tibetan people to raise awareness of the systemic repression and persecution they face while seeking international intervention.

Therefore, petitioners call on the government to intervene to save the lives of Tibetan people by urging China to withdraw its security forces from the Kirti monastery, to stop the ongoing torture and mistreatment of monks in Tibet and to uphold the fundamental values of freedom of religion.

Mr. Speaker, I join my voice and those of the members of this House to those of the petitioners in calling upon China to immediately cease the persecution of Tibetans, and in particular of Tibetan monks.

● (1515)

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, this is a petition on behalf of many residents in Labrador, primarily from Red Bay, but also from Mary's Harbour and Charlottetown.

They are calling for more work to be done on the vital transportation lifeline for Labrador communities, providing access and economic activity and allowing residents to obtain health care and all other vital services. They cannot afford to wait any more years, or decades, for phases two and three of the Trans-Labrador Highway and the Labrador Straits portion of the Trans-Labrador Highway, which form part of the national highway system.

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### QUESTIONS ON THE ORDER PAPER

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, the following questions will be answered today: Nos. 164 and 174.

[Text]

Question No. 164—**Hon. John McKay:**

With regard to Canada's fleet of fighter jets: (a) how many CF-18s are scheduled to be in service in (i) 2017, (ii) 2018, (iii) 2019, (iv) 2020, (v) beyond 2021; (b) on average, by how many additional flight hours can the life of the CF-18s be extended beyond the extension achieved through the Incremental Modernization Project; (c) in what year will Canada's full fleet of F-35s achieve (i) initial operating capability, (ii) full operational capability; and (d) what contingency plans, if any, does the government have to ensure that there is no operational gap between the retiring CF-18s and the acquisition and deployment of F-35s should their production schedule be delayed?



*Routine Proceedings***Hon. Peter MacKay (Minister of National Defence, CPC):**

Mr. Speaker, with regard to (a), retirement of the CF-18 fleet will be coordinated with the acceptance schedule of F-35 Lightning II fighter aircraft. The Department of National Defence and the Canadian Forces forecast that the number of CF-18s in service will reduce gradually in the early years of the acquisition of the F-35, and then reduce more quickly as the F-35 fleet comes online. The Canadian Forces undertook an in-depth planning process to ensure that there would be no operational gap for our fighter aircraft fleet. The current delivery plan is based on a cost-effective point in the F-35 production schedule, balanced against the Royal Canadian Air Force's ability to absorb the F-35 and the anticipated life expectancy of the CF-18.

With regard to (b), to be clear, the CF-18 incremental modernization project, IMP, did not extend the structural life of the aircraft. This project was limited to addressing the obsolescence of avionics and armament systems that were no longer operationally relevant and were increasingly expensive to maintain.

There has been a separate multi-year project to increase the fatigue life of the aircraft by developing repair schemes for cracks and by strengthening the structure in key areas. The amount of repair work to be completed under this project will be assessed and managed as necessary to ensure that there are sufficient CF-18s available during the transition to the F-35.

With regard to (c)(i), initial operating capability is currently forecast to be 2020.

With regard to (c)(ii), full operational capability is currently forecast to be 2025.

The definition of initial operational capability, IOC, is associated with attaining a certain specific operational capability. In the case of the F-35 Joint Strike Fighter, the declaration of initial operating capability is based on the RCAF receiving a certain minimum number of aircraft to employ operationally, as well as adequately trained operators and maintainers. In general, full operational capability will be reached once the project has delivered and put into place the full fleet of F-35 Joint Strike Fighter aircraft, trained personnel, infrastructure, equipment and support elements to meet the Canadian Forces' mandated capabilities.

With regard to (d), the CF-18 incremental modernization project and the CF-18 structural life extension process have provided a measure of robustness and flexibility to react to short-term delays in the achievement of F-35 initial operational capability. As stated above, retirement of the CF-18 fleet will be coordinated with the acceptance schedule of F-35 Lightning II fighter aircraft.

**Question No. 174—Mr. Scott Andrews:**

With regard to Transport Canada, and more specifically the disposal or sale of vessels formerly operated by Marine Atlantic, the MV Caribou and the MV Joseph & Clara Smallwood: (a) who bought or acquired each of the vessels; (b) how much, in Canadian dollars, did the purchaser pay for each of the vessels; (c) who was the ship broker that handled each of the transactions and where was the broker from; (d) were any Canadian broker firms considered or asked to handle the transactions, and, (i) if so, who were they and why did they not participate in the process, (ii) if no Canadian broker firm was considered, why; and (e) how much, in Canadian dollars, were the brokers compensated for each of the transactions?

**Hon. Steven Fletcher (Minister of State (Transport), CPC):**

Mr. Speaker, with regard to (a) and (b), the MV Caribou was sold to Comrie Ltd. of St. Vincent and the Grenadines for \$3,875,000 in Canadian dollars.

The MV Joseph and Clara Smallwood was sold to Merrion Navigation S.A. of the Marshall Islands for \$3,800,000 in Canadian dollars.

With regard to (c), the ship broker was ICAP Shipping based out of London, England.

With regard to (d), Marine Atlantic disposed of the vessels in accordance with all appropriate and accepted procurement practices applicable to Canadian crown corporations. The corporation issued a request for proposals, RFP, to ensure an open bidding process to select a broker. The RFP was posted on MERX, a leading electronic tendering service used by the Government of Canada. While no Canadian brokerage firms were directly contacted by Marine Atlantic, the tendering process allowed for any Canadian brokerage firm to submit a bid through MERX. No Canadian firms submitted a bid.

While it was publicly known for several months that Marine Atlantic was attempting to sell the vessels, no Canadian brokerage firm approached the corporation before the issuance of the RFP or in response to the RFP. One Canadian broker did contact Marine Atlantic after the selected brokerage firm had been awarded the contract.

With regard to (e), ICAP received 1% of the gross sale price: \$38,750 in Canadian dollars for the MV Caribou and \$38,000 in Canadian dollars for the MV Joseph and Clara Smallwood.

\* \* \*

[English]

**QUESTIONS PASSED AS ORDERS FOR RETURNS**

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, if Questions Nos. 166, 168 and 169 could be made orders for return, these returns would be tabled immediately.

**The Speaker:** Is it the pleasure of the House that Questions Nos. 166, 168 and 169 be made orders for returns and that they be tabled immediately?

**Some hon. members:** Agreed.

[Text]

**Question No. 166—Hon. John McKay:**

With regard to the hiring of consultants and contractors by the Department of National Defence in fiscal year 2010-2011, how many individuals who were hired under contract also received payments for (i) a Canadian Forces pension, (ii) a federal Public Service pension?

(Return tabled)

*Speaker's Ruling***Question No. 168—Mr. Frank Valeriote:**

With regard to the engines (propulsion system) for the 65 F-35 fighter jets purchased by Canada for future use by the Canadian Forces: (a) does the estimated \$9 billion acquisition cost for the 65 F-35 fighter jets include the engines for all 65 F-35 fighter jets; (b) if the government's response to part (a) is yes, for each of the 65 F-35 fighter jets, (i) which engine, including the manufacturer's name, was used in the calculation of the estimated acquisition price for the 65 F-35 fighter jets, (ii) what is the estimated cost for each engine used for the calculation of the estimated acquisition price, (iii) has the estimated cost for each engine used for the calculation of the estimated acquisition price increased or decreased since the original calculation and, if so, by how much, (iv) what is the estimated cost for sustainment over a 20-year period for each engine used in the calculation of the estimated acquisition price, (v) how many engine choices or options were made available to the Department of National Defence (DND) for calculating the estimated acquisition price, (vi) what are the names of the engine manufacturers with regard to the government's answer in part (b)(v), (vii) with regard to the government's answer in part (b)(v), when were the engine choices or options made available to DND for calculating the estimated acquisition price; (c) if the government's response to part (a) is no, for each of the 65 F-35 fighter jets, (i) what is the estimated purchase cost, above the \$9 billion acquisition price, for each engine, (ii) what is the estimated cost for sustainment over a 20-year period for each engine; (iii) which engine and manufacturer was used with regard to the government's answer in parts (c)(i) and (c)(ii); (d) have any engines options or choices been presented to DND or the government for final approval; (e) if the government's response to part (d) is yes, (i) how many options have been presented, (ii) when were the options presented, (iii) what are the engine options, (iv) what are the names of the companies who have proposed the engines, (v) where are their Canadian head office locations; and (f) if the government's response to part (d) is no, (i) has DND requested any options or choices with regard to the engines for the 65 F-35 fighter jets purchased by Canada, (ii) when will the engine choices or options be presented, (iii) which manufacturers are allowed or are capable of presenting engine choices or options to DND, (iv) what is the deadline for presenting the engine choices or options to DND, (v) what is the deadline for the government to submit its engine choice to the Joint Strike Fighter Program Office?

(Return tabled)

**Question No. 169—Hon. Dominic LeBlanc:**

With regard to grants and contributions under \$25,000 granted by the department of Foreign Affairs and International Trade since January 1, 2006, what are: (a) the names of the recipients; (b) the amounts of the grants or contributions per recipient; (c) the dates of the grants or contributions were issued; (d) the dates of length of funding; and (e) the descriptions of the purpose of each grant or contribution?

(Return tabled)

[English]

**Mr. Tom Lukiwski:** Mr. Speaker, I ask that the remaining questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

**POINTS OF ORDER****COMMITTEES OF THE HOUSE—SPEAKER'S RULING**

**The Speaker:** I am now ready to rule on the point of order raised by the hon. member for Windsor—Tecumseh on November 14 regarding proceedings in the Standing Committee on Access to Information, Privacy and Ethics, with respect to its study of access to information at the Canadian Broadcasting Corporation, the CBC.

[Translation]

I would like to thank the member for Windsor—Tecumseh for having raised this matter and for having provided me with helpful background material. I would like as well to thank the Leader of the Government in the House of Commons, the Minister of State and

Chief Government Whip, and the members for Winnipeg North and Saanich-Gulf Islands for their interventions.

[English]

The matter raised by the member for Windsor—Tecumseh revolves around a motion adopted by the Standing Committee on Access to Information, Privacy and Ethics ordering the Canadian Broadcasting Corporation to provide the committee with certain documents which are currently the subject of court proceedings involving the CBC and the Information Commissioner.

While acknowledging the long-standing principle that committees are masters of their own proceedings, the hon. member argued that the freedom committees enjoy is neither total nor absolute. More importantly, he argued that since the documents in question are already the subject of ongoing litigation before the Federal Court of Appeal, the committee was effectively trying to substitute its decision for that of the courts and, in doing so, had offended the *sub judice* convention and the constitutional principle of the separation of powers between the legislature and the judiciary. In other words, the member for Windsor—Tecumseh is claiming that the committee has gone beyond the scope of its mandate.

In seeking the Chair's intervention in this matter, the hon. member presented this situation as just the kind of exceptional instance where my predecessors sanctioned the intervention of the Speaker, and so he seeks specific remedies from the Chair: he asks either that I direct the committee to cease the study it has initiated or that I at least direct the committee to suspend its study until litigation has run its course.

[Translation]

For his part, the hon. Leader of the Government in the House of Commons agreed that committees are masters of their own proceedings and acknowledged that there might be circumstances where the involvement of the Speaker in a committee matter might be justified. However, he stated that he had heard no compelling argument to warrant the Speaker's intervention in this particular case, notably in the absence of a report on the matter from the committee.

[English]

With regard to the substantive arguments advanced, let me state at the outset that I acknowledge the seriousness and sincerity with which members have approached this matter. It is evident to the Chair that the member for Windsor—Tecumseh and other members are deeply concerned with the turn of events thus far in the Standing Committee on Access to Information, Privacy and Ethics. At the same time, the Chair recognizes the persuasiveness of the arguments put forward by the government House leader in relation to the weight of precedent when it comes to intervening in the affairs of a committee without the benefit of a report relative to the activities that are being questioned.

• (1520)

[Translation]

In a ruling on May 10, 2007, regarding the alleged intimidation of witnesses in a committee, Speaker Milliken agreed that successive Speakers have been reluctant to intervene in committee proceedings. At that time, he stated at page 9288 of *Debates*:



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...it would be highly inappropriate for the Speaker to break with our past practice and pre-empt any decision the committee may choose to make. The committee is seized of the issue and if a report is presented I will of course deal with any procedural questions which may be raised as a result. Until such a report is presented however, I must leave the matter in the hands of the committee.

[English]

In a similar ruling delivered on March 14, 2008, at page 4182 of *Debates*, in reference to the mandate of the same standing committee as the one at issue today, Speaker Milliken said:

For the present, I cannot find sufficient grounds to usurp the role of committee members in regulating the affairs of the Standing Committee on Access to Information, Privacy and Ethics. However, if and when the committee presents a report, should members continue to have concerns about the work of the committee, they will have an opportunity to raise them in the House and I will revisit the question at that time.

[Translation]

The Chair does not wish to minimize the importance of the issues raised but rather to respect and preserve the primacy of committees in their proceedings, and to ensure that the role of the Speaker in such matters does not stray beyond what has been established over time.

[English]

On this point, the Chair wishes to remind the House that in the oft-cited Speaker Fraser ruling with regard to “extreme situations” in which the Chair might choose to intervene, Speaker Fraser was confronted with the likelihood that it might be months before the committee then in question could convene to resolve the matter. Obviously, the case before us today presents completely and significantly different circumstances.

In terms of the situation at hand, I am aware that the chair of the Standing Committee on Access to Information, Privacy and Ethics has stated in a memorandum to members of the committee that she believes that the committee “...should wait until the Speaker has ruled on this matter before proceeding with meetings on the study of access to information at the CBC”.

For his part, the government House leader has implied that an intervention by the Speaker at this juncture “...is premature because the Chair could have more relevant timing down the road to entertain these issues if and when this matter evolves through a report from the ethics committee”.

It should also be noted that the committee has received certain documents from the CBC, some of which are, as I understand it, still in a sealed envelope awaiting further decisions by the committee.

This indicates to me that there remains room in further deliberations by the committee for a thorough airing of the serious issues that have been raised and, potentially, for a satisfactory resolution of the current situation. In the interests of giving the committee time to address the issues with which it is confronted, I am reluctant to insert myself into the substance of this matter at this early stage until events in committee play themselves out.

Accordingly, given the circumstances I have just described, the Chair believes that it should not at this time presume to prejudge the direction and outcome of the committee's deliberations. Therefore, the matter must rest with the committee for the time being.

[Translation]

I thank all members for their attention.

## GOVERNMENT ORDERS

[English]

### KEEPING CANADA'S ECONOMY AND JOBS GROWING ACT

The House resumed consideration of the motion that Bill C-13, An Act to implement certain provisions of the 2011 budget as updated on June 6, 2011 and other measures, be read the third time and passed.

**The Speaker:** The hon. member for Hamilton East—Stoney Creek has 15 minutes left to complete his remarks.

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Mr. Speaker, I will remind you that I am sharing my time with the member for Rosemont—La Petite-Patrie.

I will continue with what Mr. Hodgson of the Conference Board of Canada said with regard to our situation. He said:

As part of globalization, sadly, inequality is growing in most countries around the world. In Canada the rate of growth of inequality as we measured it was actually greater than in the United States, which is a bit of a surprising result.

He closed his statement before the pre-budget hearings by saying:

We were asking whether we're doing enough as a country to ensure that all Canadians are benefiting from economic growth. Whether we're talking about the lack of job security or about people retiring with insufficient incomes, ongoing poverty is kind of a festering sore within an economy, and I think it does drag down your ongoing growth potential.

I reiterated that part because that is a very significant point. The poverty that has been created in the country over the last five to ten years is a horrendous burden.

I will now return to my theme of Bill C-13 being a missed opportunity. I will speak for a moment about the government's recently announced pooled retirement pension plan, PRPP. This plan shows how the government does not seem to understand, very clearly at least, the real problems facing working Canadians today.

The government in its opening remarks for the PRPP said that 60% of working Canadians have zero savings and no pension. That is one point on which we do agree. The PRPP does not begin to address this problem though. It is simply similar to an RRSP and is open to market fluctuations. In addition, the PRPP potential fee structure favours the institutions and would draw down on workers' savings in what we believe is blatantly an unfair manner.

On behalf of the New Democrats I have put forward a plan for a seven year phase-in of increases to the CPP which would double benefits in about 35 years.

We should keep in mind that the Canada pension plan lost 1% during the market downturn of the last few weeks, while the remainder of the market lost 11% during the same period. That clearly shows that the CPP is the best vehicle to secure seniors' retirement.

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I will speak for a moment about the increases that we are proposing to the Canada pension plan. I want to make it very clear that they would be phased in and they would be minimal. We hear all kinds of numbers from the government side. For a worker earning \$47,200 or more a year, the initial cost of gradually doubling the CPP works out to 9¢ an hour, or \$3.57 a week. Hopefully, the government side is listening. For a worker earning \$30,000 per year, the initial cost would be 6¢ an hour, or \$2.27 a week.

It would be minimal and would allow Canadians to put money into their retirement. It would not be a huge cost to them. The reality is that otherwise they would have nothing.

I see that I am down to my last minute of debate, so I will condense my comments.

In the administrative fees for the CPP and mutual funds, there is a difference of 0.5% and 2.5% respectively. One is five times more than the other.

We need to consider carefully the need for a Canada pension plan increase to benefit those workers who today have nothing.

• (1525)

**Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC):** Mr. Speaker, pensions for Canadians is a concern of our government. That is why we introduced the pooled pension plan.

Could the member make some suggestions as to how that plan could work well for small and medium enterprises? To make the change to the Canada pension plan that he refers there has to be an agreement with the provinces. How would it work for provinces that did not agree to work through the Canada pension plan? Has he sought their opinion?

**Mr. Wayne Marston:** Mr. Speaker, on the first part of the question regarding the PRPP, we are not saying it is a complete failure. We are very concerned about the fee structure and how that might draw down the savings of Canadians.

With regard to the Canada pension plan, going into Kananaskis six provincial finance ministers wrote a letter to the federal finance minister endorsing an increase to the Canada pension plan. It is my understanding that Alberta was opposed to it and that Quebec was raising concerns. Clearly, a majority of Canadians supported it. We were on the right path. Instead of moving forward, the government decided to stop at that point and move to the PRPP. Essentially, that was a poor choice. It should still put together a committee with the provinces to go forward on the Canada pension plan. Hopefully it will do that in the near future.

[Translation]

**Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP):** Mr. Speaker, the hon. member spoke about poverty earlier. When it comes to corporate bankruptcy, the workers' pension plan is at the bottom of the list of creditors.

How does my colleague feel this could hurt the financial security of seniors?

[English]

**Mr. Wayne Marston:** Mr. Speaker, on that very topic I have introduced Bill C-331 which would move the assets of a pension

plan ahead of unsecured debt in bankruptcy, insolvency and CCAA. We had the situation of Nortel and a number of pulp and paper mills across the country that closed. In some instances, the assets of the pension plan were used like a separate pool to pay down debt when in fact they belonged to workers. In addressing that, we have to change the priority in bankruptcy. In fairness, I have spoken to the Parliamentary Secretary to the Minister of Finance about this very issue, and what I understand from the government side is that it is going to take a fair look at this.

• (1530)

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, I am going to ask about the environment.

Recent research has shown that it is a very good thing the Montreal protocol was agreed to and implemented. Without elimination of CFCs, most of the ozone layer would be destroyed by 2065. The UV increases would be extreme with the average July noon UV index reaching about 30. A value of 11 is considered to be very high. DNA-damaging UV would be increased by 550% leading to a large increase in skin cancer.

Does the hon. member think that the government should reverse its cuts to ozone monitoring?

**Mr. Wayne Marston:** Mr. Speaker, very clearly the proposed cuts are beyond the point of ridiculous. The first thing people are told when they visit Australia is to stay off the beach at certain times because Australia's incidence of skin cancer is quadruple that of the rest of the world. I agree with the member that the ozone needs to be tested. We would vote against any cuts to the monitoring of our environment.

[Translation]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, thank you for giving me the floor. I would like to thank the hon. member for sharing his time with me.

Before I begin to speak about Bill C-13 specifically, I would like to take this opportunity to express my disgust at the current gag orders and reduced debate in the House of Commons. I sometimes get the impression that, for the Conservatives, democracy comes down to 35 days of debate once every four years and that Parliament can be shut down in the interim because there is no real need for it.

In the time I have left, I would like to say that what I find unbelievably disappointing in the Conservative government's policies and decisions is the lack of certain ideas, certain concepts. Earlier an hon. member spoke about science being real. Yet the Conservatives, in their economic decisions, generally ignore other things that are also real, and those things are inequality and poverty. The Minister of Finance accomplished the amazing feat of tabling a budget where the word "poverty", unfortunately, appears only once. But that does not mean that it is not real.



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In 2009, 3.2 million people were living in poverty in Canada. As my colleague and neighbour to my left reminded us, these people are not always unemployed. Sometimes these are people who work. As we know, earning minimum wage amounts to living in poverty. Of the 3.2 million people living in poverty, 634,000 were children.

I find it unacceptable that, in a G8 country, so many people are being abandoned and we cannot take care of one another.

The Conference Board reminded us a few weeks ago that inequality is growing faster in Canada than it is in the United States. Thus, we are moving in the wrong direction. The Americans have a much more unequal society than we do, but at this rate, and with this government's neo-liberal conservative policies, we will catch up with the Americans in no time.

Equity or equality per se is not simply a good and moral objective that we are striving for; it is also more effective.

Last summer, the IMF—which is by no means a socialist organization—released a study on inequality that should be required reading for the Minister of Finance and the entire government. The IMF concluded that more equitable distribution of income translates into longer and more stable economic growth. This is good not only for people trying to get out of poverty, but also for our country as a whole, for the entire country will experience longer periods of growth with fewer upheavals. This is therefore something we should try to achieve.

An inequitable society has more social problems, more crime and more illness. Indeed, poverty has an impact on health, education, productivity, creativity and civic engagement. It is estimated that 20% of health care spending is due to socio-economic factors such as the income gap, for example.

Unfortunately, this government has chosen to give gifts to the banks and the oil companies and cut taxes for the Canadian corporations, which, generally speaking, do not need it. In the first quarters of this year, the six big Canadian banks earned \$22 billion in profits. They are not the ones who need help. People who use food banks every month because they are having a hard time paying their bills and making ends meet are the ones who need help. There are solutions and, as New Democrats, we are proposing solutions to truly help workers and their families and truly help people living in poverty.

I want to talk about this government's choices to help those who deserve our respect, those who built the society we live in and to whom we owe everything: seniors.

The previous speaker talked about this. Certain things need to be done with regard to pension plans. I will come back to that. The NDP proposed lifting all seniors in Canada out of poverty by injecting money into the guaranteed income supplement. The answer we got from the Conservative government is woefully inadequate. Its solution was to come up with a parallel system. Indeed, it plans to give an extra \$600 a year, or \$50 a month to every senior living in poverty, but we must realize that it has created new criteria and new scales: a person is entitled to \$50 a month if their income does not exceed \$2,000 a year. Once a person has reached that threshold, they do not receive the full \$50. They end up with peanuts, maybe an

extra \$4 or \$5. I am not sure who this is going to help. That is not what it means to take concrete measures to help people.

There are so many things to do and so many problems to solve. There are so many people living in difficult situations that have an impact on everything from health to access to post-secondary education.

• (1535)

This government has decided to saw off the very branch on which it is sitting, or to dig the deficit hole. It tells us that it is a real problem that has to be solved. It should stop lowering taxes for banks and oil companies. It has created the problem itself. It is creating a situation where, in Canada, we now have a structural deficit, not a cyclical deficit. Why would they willingly give up revenue? It seems that the Conservatives are governing a state that they basically detest. All their efforts are focused on shrinking government programs, except for those involving the military and corrections, of course.

What could be done with this money that the Conservatives have voluntarily given up, and made us all give up? We could restore investment in social housing. The government's present contribution to affordable social housing is just about nil, and has been for many years. This has created extremely difficult and unacceptable situations for people. In the riding that I have the honour to represent, Rosemont—La Petite-Patrie, 2,000 people are on a waiting list for social housing and 5,500 households spend more than 50% of their income on shelter.

This is not the way to build a just, strong and equitable society. These people have problems every day. They are unable to pay their bills. This creates a great deal of tension for couples, families and individuals who cannot make ends meet.

What does the Conservative government do? It gives them tax credits that are worthless if they pay no tax. It is just great to say that they provide tax credits for youth, sports associations, access to this and that, but people have to pay tax to be entitled to them. Once again, it will help some people, but not those who need help the most. We must remember this.

Also, why is it that 1.4 million people are officially looking for a job in Canada and do not have one? This number is growing. We saw that another 72,000 jobs were lost last month. Half of the people who pay into the employment insurance fund do not have access to it when they lose their jobs because they did not work a sufficient number of hours. So, they are paying a tax or insurance premium but they are not entitled to receive benefits when they find themselves in a situation when they might claim them. The NDP is arguing in favour of re-establishing greater access to employment insurance benefits. By so doing, the government would truly provide tangible help to Canadians in their everyday lives.

Investment in infrastructure is insufficient. Clearly, the government has not stopped harping about Canada's economic action plan, but it is also important to remember that, without the threat of a coalition government, the government would never have introduced this plan. The ideas came from this side of the House. We then put an end to the plan to form a coalition, but the entire deficit has not been overcome. The Federation of Canadian Municipalities estimates that Canada is currently facing a \$123 billion infrastructure deficit. As a result, overpasses are collapsing and there are problems with the Champlain Bridge and others. That means that our critical infrastructure has been left to crumble: our bridges, our highways and our water systems. This creates problems and then the price must be paid. We must reinvest in infrastructure.

We must also reinvest in research and development because it is the future and Canada has a terrible record among the OECD countries in this area. By making this investment, we will be able to stimulate the economy and create good jobs.

I can give another example. What else could we do to help people? What direction could we take? Think about the cost of medications. Last year, it was estimated that three million Canadians did not take the medications they needed because they could not afford them. That is unacceptable. That is why people continue to be sick and get sicker. Then, they become a burden on the health care system because they did not have the means to take care of themselves. In Quebec we have a drug insurance plan. The NDP thinks this is a good example. With asymmetrical federalism, Quebec could maintain its public drug insurance plan, and we could still create a Canada-wide one at the federal level.

There are many other things, such as household debt, for example. The government is not doing anything to lower credit card interest rates or ATM fees. Two-thirds of Canadian workers do not have a retirement pension plan through their employers. We must improve public pension plans. We must double them. We agree with this because it is the most effective way of doing things. That is what will help the most people once they retire, when they stop working and leave the workforce. We could also talk about Internet connections in the regions or renewable energy. There are tons of things that the federal government should invest in, such as green transportation, high-speed trains or electric monorails.

There are so many things to do and, unfortunately, the only thing this government does is lower taxes. That does not work. That is not how we will help each other and create a fair and just society.

• (1540)

[English]

**Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC):** Mr. Speaker, tax cuts were important to the 85,000 seniors who were taken off the tax rolls since we became government.

Then there is the working income tax benefit. We provided tax relief introduced in 2007 by \$580 million for 2009 and subsequent years, effectively doubling total tax relief through the working income tax benefit.

I wonder if the member realizes there are programs specifically targeting those lower income people who were paying taxes? Our

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infrastructure, which the member talked about, we did have a vision in our building Canada fund. We took the historic step of investing \$33 billion in a long-term plan. I just want to know if the member is up to speed on some of those investments that we have made?

[Translation]

**Mr. Alexandre Boulerice:** Of course, Mr. Speaker. But when it is not enough, something needs to be said. When it is not working, something needs to be said. Promises were made, but they turned out to be nothing but smoke and mirrors—the increase in the guaranteed income supplement for seniors will help hardly anyone.

That is not how we will get our seniors out of poverty. Seniors will not rise above poverty if they have their promised assistance cut when they bring in more than \$2,000 or \$3,000 a year. It will not help people if we ignore the issue of public sector pension plans.

The Canada pension plan works. It is effective and is doing very well. More money needs to be put into it. That is how we will really help people, not by giving useless tax credits to families who do not pay taxes.

[English]

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, Canada participated in the eighth meeting of the Ozone Research Managers of the Parties to the Vienna Convention for the Protection of the Ozone Layer in May 2011. There were no indications in Canada's presentation that the Minister of the Environment was planning to effectively wipe out Environment Canada's ozone group and severely curtail ozone monitoring activities.

Also notable in the presentation is the slide entitled, "An Arctic Ozone Hole". This means that Environment Canada was aware of severe ozone depletion in the Arctic well before the government began to announce its cuts to ozone monitoring and science in June. This is a shocking revelation.

Does the hon. member think that the government should reverse its cuts to ozone monitoring?

[Translation]

**Mr. Alexandre Boulerice:** Mr. Speaker, I would like to thank the hon. member for her question. We should be talking about the environment, climate change and problems with the ozone layer. Unfortunately, the Conservative government is not dealing seriously with these issues that will affect more than one parliament, the work we will do here during our four-year mandate. We are talking about the future, about our children. The Conservative government has a short-term vision. It is making decisions that will harm the people living on this planet in 10, 20 or 30 years. Cuts to Environment Canada for monitoring the ozone are troubling and worrying. Once again, the Conservatives are going in the wrong direction.



*Government Orders*

• (1545)

**Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP):** Mr. Speaker, in the hon. member's last, very fast minute, he touched on the issue of credit cards. In the election campaign, the NDP suggested putting a cap on credit card interest rates. Could he tell us how this could help families that have huge debts?

**Mr. Alexandre Boulerice:** Mr. Speaker, I thank my hon. colleague from Hochelaga for her question. Her riding is next to mine on the island of Montreal. I was beginning to address the topic of household and family debt, which is extremely worrisome. We in the NDP are not the only ones who are worried. A study conducted by Moody's said it does not make sense that Canadian families have a debt-to-income ratio of nearly 150%. That is huge. It seems to us that the Conservative government finds the debt problem staggering. However, our debt to GDP ratio is 32%, which is half the debt in OECD countries. We are doing relatively well here.

The government should worry a little less about the debt and make fewer cuts to public services, and instead help families that have huge, real debts that could bankrupt our economy if those people can no longer support consumer spending because of their debt. That is a very bad thing, in both the short and long term. Action must be taken and the NDP has made some suggestions, particularly the one my colleague just talked about.

[English]

**Hon. Michael Chong (Wellington—Halton Hills, CPC):** Mr. Speaker, I am rising today to argue in favour of Bill C-13, which is the government's plan to keep Canada's economy growing and the job creation machine going.

It is very important that we take a step back and look at the government's overall economic action plan. We have been talking about specific elements in this plan, tax credits and other specific measures, but sometimes it is useful to take a step back and look at our overall plan, because every individual initiative in this plan is part of a much bigger plan to steer Canada's economy through what has been an unprecedented economic crisis that the world has been facing over the last 36 months.

Before I go on, I will mention that I am sharing my time with my colleague, who sits with me on the official languages committee, the member for Ottawa—Orléans.

Just over three years ago, which I remember well because we were in the middle of a federal election campaign, we witnessed some pretty unprecedented events that I have never been through in my lifetime, the kind of events that our grandparents talked about when they lived through the depression of the 1930s and the stock market crash that took place in the late 1920s. I felt like I was reliving the experiences of a generation that had gone before us. I do not think we have fully realized the results of this crisis and I think it will continue to unfold, not just in the coming weeks and months but in coming years. By the time this decade is out, I think we will be facing a very different global economic order.

The government has done a fantastic job of steering the Canadian economy through the last three years. When the recession and global financial crisis hit some 38 or 39 months ago, few could foretell the way things would unfold in the following months and years. Yet the government very quickly showed that it could be not only pragmatic

but flexible. In the following six months, it worked with the provinces and our other partners in the federation to come forward with what is, arguably, the biggest investment plan since the end of the second world war. That plan, as we all know, was the first phase of Canada's economic action plan.

We delivered in some 24 months an unprecedented \$60 billion in stimulus spending across this country, which played a critical role in ensuring that Canada did not slip into the kind of severe recession that we have seen in other countries, like the United States and Europe. Through the stimulus plan, we also delivered long-lasting benefits and record investments in universities and colleges across the country. As an MP from Ontario, I can say that the investments we made in Ontario's community colleges were the biggest made in that system since William G. Davis was minister of education in the 1960s and created the community college system. In the subsequent 50 years, we have never seen such a huge wave of investments into that community college system. That was delivered through the government stimulus plan, specifically through the knowledge infrastructure program.

We also ensured that the banks had credit facilities to swap out their mortgage portfolios with credit that the government would provide to ensure that the banks continued to lend throughout that time. We delivered fiscal stimulus through other measures, like enhancing the employment insurance program and introducing work sharing, which ensured that employers would not have to lay off workers in industries that had experienced severe slowdowns. We also extended a major loan and equity investment in General Motors and Chrysler, which ensured that the manufacturing industry in the heartland of Ontario would still be able to rely on the auto industry as a key component of that sector.

Those are some of the measures we made fiscally. We worked closely with the Governor of the Bank of Canada, Mark Carney. We gave the bank new legislative powers to expand its mandate so that it had all the tools available to respond to any monetary threats the country would face.

• (1550)

Over the last 36 months or so, the results are evident. We have created over 600,000 net new jobs in the country. Our unemployment rate in our country is significantly lower than in many of the other major advanced economies in the world. Our budget deficits are significantly lower than in many of the other major developed economies, both in North America and in Europe. These are some of the successes to which we can point.

Sometimes it is useful to look to outsiders outside of Canada to get a perspective on how well we have done in the last 36 months. Sometimes we can be pretty provincial in our country. We tend to not have the perspective that others who live outside of Canada might have, others who have seen what has gone on not just here but elsewhere.

I will quote what Standard and Poor's said recently when it reaffirmed Canada's triple-A credit rating. It said that our credit rating was due to our, "superior political and economic profile and strong flexibility and performance profile". Other rating firms, such as Fitch and Moody's, have also reiterated our credit standing in the world.

The World Economic Forum, the very well-respected organization, has ranked Canada's banking system, for four years running, as the soundest in the world. As we all know, the banking system is the foundation for our economy. We just have to look at the banking crises that have taken place south of the border, in the United Kingdom and currently in continental Europe to realize how important it is that we maintain and regulate our banks properly.

However, we are not out of the woods. The fact is the crisis from outside our shores, both in the United States, which is failing to resolve its deficit and debt conundrum, where Congress has recently failed to come to an agreement through its congressional committee, which will trigger a default plan, and the events that are currently taking place in Europe, where the contagion in Greek sovereign debt markets is now starting to spread to Italy and possibly beyond to countries like Spain and France.

All these events show that we are not out of the woods yet and there remains significant risks to the downside. That is why it is incredibly important that we stay the course and that we implement the next phase of Canada's economic action plan. That is precisely what Bill C-13 would do. It would continue with the government's prudent, flexible and pragmatic approach to steering Canada's economy through this global crisis.

We have put specific measures in this budget. For example, we have implemented the hiring credit for small businesses, a commitment we made during the last election. We have put in place in this bill the regime to help simplify the collection of customs tariffs in order to facilitate and enhance cross-border trade. We are extending the accelerated capital cost allowance deductions for the manufacturing sector, which has been especially hit because of the global recession. We have also put in place measures to eliminate the mandatory retirement age for workers who work in federally regulated sectors.

These are some of the things that we have put in the bill that will allow us to build on the successes that Canada's first economic action plan have put in place.

We have also made permanent, in this legislation, the gas tax transfer to Canadian municipalities, some \$2 billion a year to help them with their aging infrastructure and to ensure that they can continue to maintain the infrastructure that they have built over the last number of decades. We have enhanced the wage earner protection program to help workers affected by bankruptcies or receiverships.

These are some of the additional measures that we are putting in place because we remain focused on creating jobs and economic growth.

I want to finish by making this point. In the last election, our party, our candidates, our Prime Minister campaigned on one issue and one issue over every other issue. That was that we needed to stay the

course economically, that we needed to keep implementing Canada's economic action plan, building on the successes of the first plan by putting in place the second phase of the plan so we could create jobs and economic growth for Canadian families.

This bill does exactly that, and I ask all hon. members of this House to support it.

• (1555)

**Mr. Andrew Cash (Davenport, NDP):** Mr. Speaker, the government did run on that platform and that is why most Canadians voted against it.

I want to read a small quote from one of the member's colleagues about closure. He referred to closure when he said, "It tells the people of Canada that the government is afraid of debate, afraid of discussion and afraid of publicly justifying the steps it has taken". That was a quote by the Minister of Public Safety around closure.

Why is the government so afraid of debating this bill? I would argue that in part it is because we have the largest deficit in Canadian history. Perhaps the government does not want to focus Canada's attention on that glaring fact.

On another glaring fact, youth unemployment in our country is double the national average. Young people right across Canada are protesting that very fact. Yet we never hear the Conservative side of aisle talk about young people and employment. We hear about jobs, jobs, jobs, but the government never says whether the jobs are sustainable, whether one could raise a family—

**The Acting Speaker (Mr. Barry Devolin):** Order, please. I would encourage all members when they are asking questions to look to the Chair for guidance in terms of what an appropriate length is for a question.

The hon. member for Wellington—Halton Hills.

**Hon. Michael Chong:** Mr. Speaker, I am not sure if it is relevant to talk about time allocation. We are on the debate on Bill C-13, which is the budget act. Therefore, I will focus on the latter two comments that my colleague posed regarding youth issues.

The government has been focused on addressing the challenges that Canada's youth face. In fact, it is the reason why we have invested record amounts of money into Canada's post-secondary education system. As I mentioned earlier, and I know the member is a proud Torontonion, a proud Ontarian, the amount of money that we have invested in community colleges to help those students who want to enter skilled trades and other sectors of the workforce has been an unprecedented investment not seen since the Hon. William G. Davis created the community college system in the 1960s.



*Government Orders*

As for the deficit, I would clarify a point. It is not a record deficit in terms of the real deficit. If we measure the deficit in terms of a percentage of GDP, the deficits that we have experienced in the last three years are substantially lower than they were in the early 1990s. Measured in simple absolute dollar amounts, yes, they are at the highest number, but that is not a fair measure. On that measure, the average worker today is making about a thousand times more money than the average worker did some decades ago. We need to compare apples to apples. On the real measure of deficit to GDP, this is not a record deficit. In fact, it shows the government's prudence in this regard.

● (1600)

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, my question has to do with health.

I strongly believe stem cell therapies represent a tremendous opportunity to improve and/or alleviate human suffering, reduce the economic burden of health care costs for Canadians and create new long-term jobs in the delivery of regenerative medicine. It is key to ensure that Canadians are the first to benefit from this Canadian discovery and have access to these new therapies in a safe, fair and timely manner.

Does the hon. member think that the federal government should increase financial support for stem cell research from basic science to early phase clinical trials to globally competitive levels?

**Hon. Michael Chong:** Mr. Speaker, as I mentioned before, we are investing record amounts into higher education in our country. In fact, if we look at the OECD measures on this file, the higher education research and development measure, which the OECD tracks for all member OECD countries, Canada ranks second only to Sweden in terms of the amount of money that we invest in Canada's universities and into research and development at those universities.

In answer to the member's question, any allocation of money through SSIRC, the Social Sciences and Humanities Council, NSERC and all the other bodies out there should be done on a peer reviewed basis. I do not think elected officials should be getting into the business of deciding which specific research projects should go ahead. That should be done by the scientists and researchers involved and done on a peer reviewed basis. That is the best way for the government to proceed.

**Mr. Royal Galipeau (Ottawa—Orléans, CPC):** Mr. Speaker, first, I would like to thank my distinguished and hon. friend from Wellington—Halton Hills for sharing his time.

During the 41st general election, we all recognized that the economy continued to be a major issue for Canadians. In fact, this was the crucial reason for our success. The economy needs to be among our country's key priorities.

[Translation]

Despite this period of global economic uncertainty, Canada has one of the strongest fiscal positions of the major advanced economies of the world. While many countries' economies are slipping, Canada can say that it is creating employment. Here in the nation's capital, many jobs have been created in the past 12 months.

[English]

In October 2010, 505,400 Ottawa residents had work and the unemployment rate was at 6.9%. Helped by vibrant businesses in our solid and credible economic action plan, Ottawa is now turning the corner.

According to the latest figures from Statistics Canada, more than 13,000 jobs were created in Ottawa over the past year, resulting in a 1.3% drop in the unemployment rate.

[Translation]

Right now, our region is reaping the benefits of the current government's initiatives and efforts.

[English]

Ever since Canadians entrusted us with managing the nation's affairs 2,129 days ago, we have reduced the tax burden over 120 times. We have cut income taxes to 15% of the lowest income earners. We have taken more than one million Canadians completely off the tax rolls.

[Translation]

We have increased the amount that Canadians can earn without paying taxes and the average family in Ottawa—Orléans is saving over \$3,000 through the current government's tax reduction plan.

[English]

Last Thursday I attended the People's Choice Business Award gala sponsored by the Orléans Chamber of Commerce to recognize outstanding businesses as chosen by their customers. Several award winners eloquently pointed out that Orléans was a vibrant and positive environment for small, medium and large businesses.

The actions taken by the Government of Canada have certainly played a key role in the economic vitality of our beautiful corner of this country.

[Translation]

However, the work is far from over. The strength of the global economy is threatened by unwise choices made beyond our borders. The next phase of Canada's economic action plan is designed to ensure our economic recovery for the good of all Canadians, both today and in the years to come, through a number of targeted measures.

● (1605)

[English]

Seniors are among my biggest concerns and on countless occasions I have visited these Canadians with invaluable experience at Club 60, le Rendez-vous des aînés, the Roy G. Hobbs Seniors Centre, the Gloucester Senior Adults' Centre and many other places. They will certainly be pleased to see what their government will be doing for them.

[Translation]

The government will implement a new tax credit of up to \$2,000 for caregivers.

*Government Orders**[English]*

The GIS will be enhanced. Eligible low-income seniors will receive an additional annual benefit of up to \$600 for single seniors and \$840 for couples.

*[Translation]*

Finally, we want to remove the limit on the amount of eligible expenses caregivers can claim for their financially dependent relatives under the medical expense tax credit.

*[English]*

Seniors living in Ottawa—Orléans are very involved in their community and they volunteer their time. The district that I have the honour to represent here includes more than 300 community organizations and they will greatly benefit from our super volunteers.

As a servant of the people of Ottawa—Orléans in this place, I am pleased to note that the government wishes to invest an additional \$10 million to promote volunteerism, mentorship and social participation of seniors. This amount will also help expand awareness of elder abuse, of which they sometimes fall victim.

*[Translation]*

Our young people will not be outdone: Ottawa—Orléans is an excellent place to raise a family, with young people aged 19 and under making up almost 27% of the population of Orléans.

*[English]*

Many of our brilliant young people attend well-established institutions, such as the University of Ottawa, Carleton University, Algonquin College and La Cité collégiale, which recently added a new campus in Orléans, just to name a few.

*[Translation]*

Two important organizations—the College Student Alliance and the Council of Ontario Universities—welcomed the 2011 budget.

*[English]*

On March 22, 2011, the Council of Ontario Universities wrote in a news release that it:

—applauds the federal government's 2011 budget, and its commitment of continued support and new investments which will help to sustain a robust pipeline of research. We are pleased in these tough economic times that the government continues to invest in university research as a critical driver of Canada's future prosperity and economic recovery—

*[Translation]*

The Council of Ontario Universities adds that this budget makes it clear that the Government of Canada believes strongly in the important role that research plays in driving positive economic and social outcomes for Canadians.

*[English]*

As well, I am sure that the Ottawa Police Service will be delighted with our \$20 million investment to promote programs that help young people from joining street gangs or that help them quit. Ottawa, like many other major Canadian municipalities, is not immune to this terrible reality.

*[Translation]*

The young people of Ottawa—Orléans and I are deeply attached to the arts. Families will be pleased to see that their government is providing a 15% non-refundable tax credit on the first \$500 of eligible fees for arts, cultural, recreational and child development activities.

*[English]*

As for our cities, I am sure that Ottawa City Council will be pleased that this government is putting into effect the annual investment in municipalities with the gas tax. Ottawa receives roughly \$50 million per year from this annual investment of \$2 billion.

*[Translation]*

Thanks to this money, the City of Ottawa can continue to improve services provided by OC Transpo. This should help reduce traffic on Highway 174, and the environment will ultimately come out the big winner of this investment.

*[English]*

In closing, I wish to point out that the keeping Canada's economy and jobs growing act, tabled by our friend the hon. Minister of Finance, is a credible and sustainable plan that will provide an added boost to the families of Ottawa—Orléans.

In this period of global economic uncertainty, I am convinced that the people of Orléans, like all Canadians, will have the tools to prosper.

• (1610)

*[Translation]*

Although we are faced with major challenges, the residents of Orléans, and the people of Canada, have shown that they are able to step up to the plate and keep moving forward. My maternal grandfather, the late Omer Lacasse, participated in the community work project that built the St. Joseph's church in Orléans 90 years ago.

*[English]*

The St. Isidore de Prescott arena was built in 1957 by volunteers from that police village over which my uncle, the late Raymond Galipeau, presided. Do members know how much that arena cost? It cost \$3,001. That is less than 1% of the cost of arenas in those days.

*[Translation]*

Jean-Jacques Rousseau was right when he said that “Forced labour is less opposed to liberty than are taxes”.

There is an old saying, “Good workers have good tools”. With this plan, Canadians will have the right tools to build a strong, united and prosperous Canada.

*[English]*

I thank the House for its kind attention. I assure the House that I will hear my colleagues' questions with the same respect.



*Government Orders**[Translation]*

**Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP):** Mr. Speaker, the last speaker referred to a number of elements in Bill C-13. I will mention a few, such as support for volunteer firefighters. Now that is a smokescreen. It is a measure that makes no tangible contribution, except to a Conservative speech about how they are popular, are doing the right things and are helping volunteer firefighters. There are 85,000 volunteer firefighters in Canada. Only 55,000 will have access to this tax credit, which totals \$15 million. Divided by 55,000, this amounts to less than \$300.

Is that help? Is that support? Will that provide them with trucks, equipment or training? Will they be part of a national public safety plan? No.

This is also the case of family caregivers. They are being thrown crumbs. Will there be a policy for maintaining people in their own homes? No.

How can the member say that this is a good budget when all it provides is smokescreens?

**Mr. Royal Galipeau:** Mr. Speaker, I find it regrettable that the members opposite are engaging in demagoguery. That is probably why 70% of Canadians voted against them on May 2.

When the Government of Canada invests in programs, the money comes from taxpayers' pockets, not the government's. We must make prudent investments and that is exactly what Canadians are seeing. That is why, on May 2, they endorsed the budget we presented in March.

*[English]*

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, in 2008 Massachusetts signed legislation that would set aside \$1 billion toward biotechnology over 10 years to turn the state into the second largest with regard to stem cell research in the United States.

Governments are investing because regenerative medicine represents an enormous economic opportunity, a conservative \$2 billion to \$3 billion range over the next three years. Canada's stem cell researchers need more money. For example, diabetes costs Canada \$12 billion annually. As President Obama stated, "Medical miracles do not happen simply by accident". They require investment in people, research, equipment and facilities.

We need to invest in our world-class stem cell researchers and their work. Does the hon. member support more money for stem cell research?

**Mr. Royal Galipeau:** Mr. Speaker, I have been paying attention to the questions by the hon. member this afternoon. It seems that she is not aware that we are discussing Bill C-13. She thinks we are discussing stem cell research. Therefore, her questions, which are coming out of left field, are probably a testimonial to the fact that 82% of Canadians voted against her and her party. That is why she is stuck in the corner there today.

● (1615)

**Hon. Laurie Hawn (Edmonton Centre, CPC):** Mr. Speaker, I will not resort to the math here, but there is a reason why substantially more Canadians voted for our government in the last election than any other party.

The economic action plan has many moving parts. Is there a single element or characteristic of our approach that he can attribute that would explain the fact that Canadians voted overwhelmingly in support of that plan?

**Mr. Royal Galipeau:** Mr. Speaker, Canadians are very safe and prudent incrementalists. They listened to our budget last March and they liked many of the elements in that budget.

However, when I was knocking on doors, I found out specifically that they liked what we were doing for families. They liked that we were introducing a family caregiver tax credit to assist caregivers of all types of infirmed dependent relatives. They liked that we were removing the limit on the amount of eligible expenses caregivers could claim under the medical expense tax credit in respect of financially dependent relatives. They liked that we were introducing a new children's arts tax credit for programs associated with children's artistic, cultural, recreational and developmental activities.

*[Translation]*

**The Acting Speaker (Mr. Barry Devolin):** It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Saint-Jean, Personal Debt; the hon. member for Beauharnois—Salaberry, Health; the hon. member for Etobicoke North, The Environment.

Resuming debate, the hon. member for Algoma—Manitoulin.

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP):** Mr. Speaker, I would like to inform you that I will share my time with the member for Marc-Aurèle-Fortin.

*[English]*

I am glad to speak today and address some of the problems with the budget implementation act. My initial concern with a bill like this is its omnibus nature, a theme we have seen from past Conservative budgets. There is so much packed into the budget that it becomes the single most important piece of legislation we will have to debate in a year. I must remind the House that there are close to 650 pages in this budget and what we have to debate is an overly complex document peppered with supportable items, but one that also goes about preparing the ground for much of the dirty work the government intends to do.

The end result is forcing parliamentarians to vote to do the least harm, which means to vote against the more imposing items and sacrifice the lesser and often imminent supportable items in the process. This leads to a predictable parade of Conservative members saying, "We didn't support this item or that item without ever acknowledging the context". I guess it makes for great TV, but I cannot imagine many Canadians would be impressed if they were given the complete story. However, we will not hold our breath waiting for that kind of development. It is the most partisan and disrespectful group Canada has ever elected.

It is safe to assume that everyday Canadians expect Parliament to buckle down and get to work examining the bill since it is so wide ranging and important. They would rightly expect a parliamentarian to ensure the budget is sound and that the measures will do what Conservatives have said they will do. In short, Canadians expect us to do our jobs, but the government does not see the value in that. Instead, it put time allocation on a bill yet again.

Parliament is barely getting going and we have seen the government use this heavy-handed measure on every major piece of legislation, six times so far. It has gone so far as to use time allocation on a bill before an opposition member has even spoken on it. How is that for democracy? It is not very good, if one asks me.

In fact, when it comes to democracy, the only concern from the government bench is making certain it uses every tool at its disposal to ensure there is not much of it. It has used its majority to cut off debate on nearly every significant piece of legislation and to ensure committees are not doing much of anything.

We have to ask ourselves, what is the rush? Why is the government moving every significant piece of legislation at breakneck speed? Is it afraid of the criticism for items it knows to be overly partisan? Is it trying to get everything out of the way so it can prorogue Parliament again?

I can imagine that the idea of avoiding Parliament altogether is very appealing to the government, no question period and less probing from the press gallery. It must look pretty good to a government that acts more like a king's court than a parliamentary democracy. We will see. Right now there are only questions.

There are a number of themes repeated in this debate. Of greatest concern to me is the way this budget does so little to address inequality in Canada. It is among the greatest of our pressing needs, yet there is not even the smallest of attempts to address the winding gap in incomes here in Canada. This is not just by observation, either. This is a fact.

We only have to look at the occupy movement. It recognizes the inequality in Canada. The Conference Board of Canada released a report recently that placed Canada 12th out of 17 comparable countries when it comes to income disparity. It is a trend that is growing. That is no way to run a consumer-based economy, which is what we have in Canada to a large extent.

The most disturbing trend in the Conference Board's numbers was that the average income of the lowest earning Canadians is shrinking. For those at the bottom, there is no growth, only negative trends. Here are some numbers to consider. For the years 1980 to 2005, earnings increased by 16.4% for the top income group, the

middle-income group saw no change, and the earnings fell by 20.6% for the bottom income group.

• (1620)

What do we get from government after government? We get tax cuts for corporations with the misguided belief that this will improve employment numbers and not be siphoned off as executive bonuses. It is trickle-down economics and it has not been working for 30 years or so.

New Democrats proposed a better option in the last election. We are the ones developing budgets. There would be performance-based tax incentives for corporations. We would reward those good companies that invest in Canada whether it is for the nuts and bolts of their operations or creating jobs. Those are the tax breaks we would happily make room for.

Ultimately, New Democrats want to lower the tax rate for small businesses. They are the real job creators. We want that rate to be lowered so we can create jobs in our communities. Small businesses in northern Ontario would welcome that development. That is not partisan. That is smart.

The Conservatives stand in this place and try to tell Canadians that we are the ones who would raise their taxes.

[Translation]

In reality, the Conservatives are the ones increasing taxes on Canadian families, such as the recent increase in employment insurance premiums for employers and employees, or the HST, which is cutting into household budgets in the north.

[English]

We would put an end to the kind of corporate welfare that sees companies like John Deere stick around just long enough to line their pockets with tax breaks and then move to a jurisdiction where the labour conditions and environmental laws are substandard. I have yet to hear a single Conservative say a critical word about that.

We see it when companies go bankrupt. If a country were really looking out for its citizens first and foremost, it would ensure that pensions were the first thing taken care of with what money remained. Does the government believe that? Hardly. Does the budget do anything to address the problem, given the high profile cases we have seen lately, like the pensioners who were robbed as Nortel foundered and was ultimately carved up and sold off? No, it does not.



### *Government Orders*

More and more Canadian seniors are living in poverty and are being forced into making terrible decisions on whether to pay for food or heat. When the government refuses to protect pensions, pensions that only exist in the first place because of deferred wages from a company's employees, it is showing full and well what it thinks of Canadian workers and retirees. They are an afterthought, at the back of the line. They get something only if everything else works out first. These are terrible priorities. These are priorities that lead to policies that entrench poverty.

The budget has a number of tax incentives in it, things which New Democrats have called for, such as an extension of the eco-energy retrofit program and credits for home caregivers and for families that enrol their children in cultural activities like dance or music lessons. These are supportable items that need some tweaking, but they are generally good ideas.

I heard from a number of constituents about the eco-energy retrofit program when it was reintroduced. They are happy to go ahead and do this work which has spinoff benefits for our local economy as well as helping Canada conserve energy and reduce our environmental footprint. There are some problems, though. In Algoma—Manitoulin—Kapuskasing there are fewer contractors, few inspectors and also less time in the year to do some of the big jobs that are eligible for the credits. Without enough inspectors, people have to wait to get the green light. Then they have to find a contractor who can do the work needed in the short timeframe available. In northern Ontario, that gives people eight or nine months tops for big jobs like replacing windows that really cannot be done in the heart of winter.

If I were to have one suggestion, it would be to make the eco-energy retrofit program multi-year at a minimum to address the inequality of opportunity in areas that have limitations like the ones I have described.

• (1625)

**Mr. Randy Hoback (Prince Albert, CPC):** Mr. Speaker, last week two members of the NDP went to the U.S. and proceeded to try to destroy part of the Canadian economy. Was that an NDP-sanctioned trip, or was that just two rogue NDP members?

**Mrs. Carol Hughes:** Mr. Speaker, we were there doing the job that the Conservatives should have been doing there, but were not.

On that note, it shows again that the Conservatives are clearly out of touch with the needs of Canadian families.

I would add that when I spoke about the tax credits a while ago, for tax credits like those available for cultural activities and for caregivers, the fact that they are not fully refundable means that only Canadians who pay enough taxes can take advantage of them. In that respect, they are incomplete incentives, and that is a shame.

My colleague from Abitibi—Témiscamingue spoke about this last week. Her background gives her a unique view into the situation. She told us that when individuals become caregivers, they often have no choice but to cut down on their hours of work. As a result, they do not earn enough money to benefit from this tax credit. She also told us that the majority of family caregivers cannot take advantage of these tax credits, because they do not pay enough tax because of lost income.

These are real problems that could be fixed if the government cared to listen.

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, my colleague did not get an opportunity during her 10 minute speech to put on record the impact the cuts to the public service are going to have going forward. It is obvious that one of the major fronts on which the Conservatives are going to fight the deficit is on the backs of public servants.

I sit on the human resources committee with the member. The member has a pretty good appreciation for the impacts. Six hundred employees were sent home from EI processing centres across this country. We already see backlogs of five to seven weeks. People are waiting for their employment insurance cheques.

Perhaps my hon. colleague would like to comment on the government's choice of jets and jails over people delivering services to Canadians who need them.

• (1630)

**Mrs. Carol Hughes:** Mr. Speaker, it is true. We are hearing over and over again in our communities that people are having a hard time accessing their EI benefits. MPs' offices are becoming Service Canada offices.

Instead of helping people who are most in need, the government has decided to add another tax for employers and employees. This is really shameful given the fact there was a lot of money in the employment insurance pot way back when. Unfortunately, as my Liberal Party colleague knows full well, the government took that money and put it somewhere else. It should not have happened, because it was actually the workers' money.

If the Conservatives want to serve Canadians instead of dictating to them, they could start by breaking up these omnibus bills, allowing Parliament and committees to do their work, and stop thinking the worst of everyone who has a different opinion or idea on how to achieve the same goals. That would be to the betterment of Canada and all Canadians.

We need to fix EI, but we also need to fix Parliament. If the government is absolutely serious, it will continue to work. It will not prorogue Parliament, and it will continue to work on committees and give these bills a chance to go through the process.

[Translation]

**Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP):** Mr. Speaker, in an earlier speech, I spoke in detail about everything that does not belong in omnibus Bill C-13, for example, the inappropriate use of non-refundable tax credits. People who do not have to pay taxes will never be able to benefit from these tax credits. This means that people who stop working to take care of a sick child or an aging parent will not have access to the tax credit for family caregivers. This also means that the 85,000 volunteer firefighters in Canada will have to share \$15 million, which is a bit of a stretch.

In their bill, the Conservatives have decided to exclude all volunteer firefighters who already work for a municipality, including blue-collar and white-collar workers as well as first responders. They decided to exclude all those who do not work at least 200 hours. This means that 55,000 of the 85,000 will share the \$15 million, which comes out to \$300 each. They call that a policy to support volunteer firefighters? It does not give them the equipment to fight fires. It does not give them the training they need to stay safe. It certainly does not give them the support of a national civil security policy.

We could also talk about culture. The government is offering a \$500 tax credit to give children access to culture. Unfortunately, once again, this is a non-refundable tax credit. Children from poor families who are receiving social assistance or employment insurance benefits and those from families who do not have enough money to pay taxes will not have access to this tax credit and will therefore not have access to culture. This is the Conservative Party's remarkable achievement: it is rewarding the wealthy but failing to support those who need it, those who need this culture so that they can then contribute to Canada.

This omnibus bill also contains elements that should never have been included, such as a reform of the Canada Elections Act related to party financing, and the creation of a securities commission. These two components of Bill C-13 should have been carefully examined not quietly buried in a budget bill that is more partisan than economic in nature.

In this speech, I especially want to point out what is not found in this bill. Despite a huge number of calls from every corner of Canada and every element of society, such as BMO, the Certified Management Accountants and the Association of Consulting Engineering Companies-Canada, the government continues to turn a blind eye and a deaf ear to the deterioration of the economy. And these stakeholders cannot be accused of being champions of socialism. No. They are neutral observers who see that the economy is severely deteriorating and that the government is failing to take action. They are asking the government to urgently intervene but the government is not doing so.

First, it is completely outrageous that people who are entitled to receive the guaranteed income supplement are unable to access it unless they submit an application. That does not make any sense at all. This is a measure that the government could easily implement: group people by age, use their income tax returns to identify those who do not have sufficient income and give them this income supplement. But no. They have to apply for it. Unfortunately, almost 150,000 of the most elderly and isolated Canadians are

### *Government Orders*

unable to receive financial support because they did not submit an application.

The government's laziness is responsible for the unnecessary hardships and suffering of what we call the generation of builders, those who made this country prosper.

Second, since the beginning of the recession in 2008, Canada has created only 250,000 jobs in three years. We have learned that, in the month of October alone, we lost 72,000 jobs. That is huge, especially because, since 2008, our country has lost 350,000 jobs in the manufacturing sector, a sector that creates wealth and value added.

• (1635)

These jobs have not been recovered. They have been replaced by jobs in other sectors, by lower paying, precarious and often part-time jobs.

This employment weakness is the reason why more than 1.7 million people in Canada are either unemployed or under-employed. In light of this crisis, there is nothing in Bill C-13 capable of kick-starting the job market in Canada.

In short, we are allowing our manufacturing sector to disappear and the government is doing nothing. Bill C-13 does not have a recovery plan to kickstart job creation. Once again, it contains only smokescreens in the form of a series of minor measures that will not have a significant impact on the Canadian economy. The Conservatives are doing nothing. They are only making speeches. The budget has a grand title, but it is nothing more than paper.

I must point out that Statistics Canada data clearly shows that Canadians' debt makes increased spending impossible. There can be no national growth without growth in spending. However, more than \$500 billion in capital is being stored up by businesses and they are not investing this money. It is said that Canada is the best place to do business, but obviously it is not the best place to invest, because investments are not being made. The Governor of the Bank of Canada and all stakeholders have confirmed this. With the productivity rate at an all-time low, the balance of payments deficit hitting peak levels and the manufacturing sector disappearing, this money could be of more help to those looking for work if it were invested.

In this situation, what is this government doing? Nothing. There are no incentives in Bill C-13 to make businesses use their \$500 billion to create jobs. Absolutely none. The Conservatives still believe in divine intervention. Perhaps it is the theory of seven lean years and seven fat years. Does that amount to structured economic reasoning? At any event, that is our government's economic vision.

Statistics Canada has already indicated that this \$500 billion was in the financial sector, and the Bank of Canada continues to indicate—in all its economic reports—that this money is not being invested.

Last night, Peter Mansbridge said on CBC television that currently, with fears of recession all around us, the worry is that the private sector may keep billions sitting on the sidelines, money that could create new jobs. That is what was said on the CBC.



*Government Orders*

The more uncertainty there is, the less investment there is; and the less investment there is, the more the government needs to encourage businesses to invest that money. The government is still doing nothing. It is waiting.

It is clear that, choosing between the actions of this government and the proposals of the official opposition, the best party for Canadian families who are worried about their jobs and the economy is truly the NDP. The Conservative Party is doing absolutely nothing.

This same government is so obsessed with the zero deficit that it has completely forgotten to consider the infrastructure deficit. We want to invest in infrastructure projects to deal with the deficit there, to make us more economically competitive and improve life for Canadians. What is more, the interest rate is so low that now is the best time for investing.

This government is set on freer trade, but all the new projects in the north and in British Columbia require infrastructure immediately. The government is not investing in it. How can we export coal if there are no ports?

The government seems to want to destroy the public service, but we need public servants to assess projects and monitor and guarantee the quality of the products we consume.

The list of things missing from Bill C-13 could fill a library. Unfortunately, neo-liberalism has become an intolerant religion. Such is the Conservative government.

• (1640)

[English]

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, the ozone layer is one of those things that is truly important. Life on earth would not exist in its present form without the ozone layer. Monitoring the health of the ozone layer in the name of self-preservation is a sensible and responsible thing to do.

Canada is already receiving intense international criticism on its stance leading into the climate negotiations in Durban, South Africa. We must not fail the world at the ozone meetings in Bali as well.

Does the hon. member think that Canada should reverse its cuts to ozone monitoring?

[Translation]

**Mr. Alain Giguère:** Mr. Speaker, that is a typical example of inappropriate cuts. Our public service is being cut. They want to make it disappear. They want to take away essential expertise that Canada needs both now and in the future. This expertise cannot be replaced by private business, nor can it just simply not be replaced.

The fact that the government is hiding its head in the sand and hoping that the hole in the ozone takes care of itself is more proof of its wilful ignorance. It is refusing to look at the country's real issues and deal with them.

[English]

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Mr. Speaker, my question is for my friend for Marc-Aurèle-Fortin.

When the previous speaker, the member for Algoma—Manitoulin—Kapuskasing, was speaking, she reminded me of when I was on my tour listening to seniors. When I was in Elliott lake, which is a retirement community, I had a woman come up to me who was living on \$1,140 a month. She had old age security and the guaranteed income supplement. She showed me her hydro bill and, as I recall, it was about \$2,100 a year. She was wondering when she was going to get the HST of \$160-some a month.

Here we have a situation where the Conservatives have given \$50 a month to help seniors on the guaranteed income supplement, which they tout regularly in this place, but the reality is that the poverty line is \$22,000 and these people are making about \$15,400. What impact does the member think that has in his region in Quebec?

[Translation]

**Mr. Alain Giguère:** And yet, Mr. Speaker, the solutions are within our reach. This government has an obligation to produce results. We cannot be satisfied with measures that make only 10% to 15% of the population happy. We need to provide all Canadians with a generous, reliable pension plan. The money provided by this pension plan must be enough to keep them living above the poverty line. Nothing could be easier. We have the Canada pension plan; it already exists. It just needs to be increased and doubled. It is not hard to understand. But instead of doing that, they are inventing new financial structures that do not guarantee that people will have enough pension money not to live in poverty once they retire.

• (1645)

**Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP):** Mr. Speaker, the government insists on trying to pay down the deficit as quickly as possible by cutting 5% to 10% from all departments, for example. Does my colleague think that, given the uncertain economic times, this could have the opposite effect and harm the economy instead of helping it?

**Mr. Alain Giguère:** Mr. Speaker, this is a perfect example of what we call the Greek syndrome. To meet the financial demands of certain banks, Greece made massive cuts to its government spending. One of the immediate effects of these massive cuts was that Greece was pitched headlong into a recession and sunk deeper into deficit. That is a major problem. When government spending is cut in an unreasonable manner during a period of economic uncertainty, it only encourages more economic uncertainty.

[English]

**Mr. Brad Butt (Mississauga—Streetsville, CPC):** Mr. Speaker, I am pleased to rise today and speak to Bill C-13, the budget implementation bill.

I will be sharing my time with the hon. member for Oxford.

I appreciate this opportunity to once again rise in the House and talk about our government's track record on economic issues, on which, despite the worldwide economic recession, we have been leading the world.

I want to remind the House of a few things that we accomplished prior to my being elected here in May. I do believe one of the reasons I was elected to this place in May was because of the strong economic and fiscal leadership that was provided by the previous Conservative government.

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The government has cut taxes for Canadians 120 times since getting elected. We cut the personal income tax rate paid by the lowest income people in this country to 15%. We removed one million Canadians from the tax rolls. That is unprecedented. We increased the amount Canadians can earn tax free. The major initiative that we did was to keep our promise to cut the GST from 7% to 6% to 5%. We brought forward the universal child care benefit, which is widely popular in my riding because it gives families a choice as to the type of child care that is most appropriate for their family.

A lot of young families live in the riding of Mississauga—Streetsville. When I went door to door, I listened to their challenges and I listened to the issues that were of concern to them. They told me to keep on with the good work that our government was doing and to keep focusing on the important issues.

This government, through the leadership of the Prime Minister and the Minister of Finance, has done a lot, but we cannot rest on our laurels. We must keep going.

I heard some opposition members refer to the fact that we are still debating a budget bill on November 21. We need to remind Canadians why we are debating a budget bill on November 21.

This budget was first introduced in the House on March 22 but the opposition parties decided it was more important to have a \$350 million election campaign than it was to pass a budget bill back in March or April. That was their choice. I benefited because I am here now, so it was an election that I was happy to have happen.

However, here is the fact. Parliament very rarely is still debating a budget bill in the 11th month of the year in which the budget bill is supposed to be implemented. That is unprecedented around here. One of the reasons that we need to get on with the job and one of the reasons that we are at third reading today is because we still need to send the bill to the Senate and it still has to take time to get it done.

It is ridiculous to suggest that this budget bill is getting rammed through the House. There has been a tonne of debate on this legislation. There was a huge debate on May 2. It was called an election campaign. I talked a lot about what was in the March 22 budget in my election material and most, if not all, of those actions are contained in the bill today. I can stand here and very clearly tell the House that I have a mandate from the people of Mississauga—Streetsville to see this budget implemented, and that is why I am speaking to it today.

Let us talk about some of the highlights of this good bill. Our government is bringing forward a hiring credit for small businesses to encourage additional hiring.

During the summer, the Minister of State for Small Business and Tourism toured my riding. The Streetsville Improvement Association, right in the heart of the old village of Streetsville, is a very vibrant business improvement association. There are close to 300 businesses and merchants up and down Queen Street, the main street in Streetsville. I had a chance to visit people in their businesses with the minister. I did not just call a round table and hope for people to show up. I went with the minister and we did some mainstreeting. We went into those businesses and asked them what their priorities were. They asked us to keep on with the job, keep lowering our tax

rates and help us out with tax credits that encourage us to hire and invest. That is exactly what this budget would do.

● (1650)

Some of us do go back to our business constituents and residential constituents, and ask them again and again what we could be doing, how we could be making things better, how they could grow their businesses and what the federal government could do.

The other credit that we are enhancing is the accelerated capital cost allowance for investments in manufacturing and processing machinery.

I had the opportunity a couple of weeks ago to visit one or two businesses in the riding. I like to spend an equal amount of time visiting businesses as well as conducting residential town hall meetings and going to community events. I especially like to hear what emerging businesses are saying. What they are saying is that if they could have greater incentives, they would invest in new technology and new machinery.

I am finding that while some of the large-scale manufacturing plants are having challenges, smaller businesses in niche manufacturing are actually doing fairly well. They have innovative products, innovative technology that they can sell, not just domestically but also around the world. However, they need a bit of help. We are there to support those emerging businesses. Measures in this budget help predominantly small- and medium-size businesses do even better.

We are also investing in families and communities. I am delighted that this budget would make the gas tax revenue to the municipalities permanent. The mayor of Mississauga, Mayor McCallion, and I have spoken about this. She was pleased to see this gas tax transferred to municipalities made permanent. Why? Because now the municipalities would not have to wait every budget year to find out whether the money was coming. They could budget for it each and every year, to support transit and transportation infrastructure.

We would give the municipalities some flexibility to use that money. We would not dictate from on high. We would say to municipalities, "Here is our federal contribution from the gas tax to you. You know what is best for your communities. You know what is best for your cities. Here is some money, paid for by people who are pumping gas into their cars in your community. We are giving some of it back to you so that you can have the flexibility to invest in the priorities of your communities."

That would be a tremendous step forward and a great new relationship, a permanent relationship, between the federal government and our very vital municipalities.



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We are enhancing the wage earner protection program, which would cover more workers affected by employer bankruptcy or receivership. We know there are companies out there that have challenges, that are doing their best. Nobody wants to declare bankruptcy. Nobody wants to have difficult times. Everybody is working hard. However, we do know that some businesses fail. We have a responsibility to try to support, and we have been supporting, those workers who have, through no fault of their own, lost a job.

We are investing in families.

I just want to end on these two notes, because they are particularly important in my riding.

I am delighted, as a former board member of the Mississauga Arts Council, to see the children's arts tax credit in this budget. This is a phenomenal initiative. I was at the visual arts centre in Mississauga with the Minister of National Revenue this summer, where we made the announcement of the tax credit. We saw many children participating in wonderful arts programs and the program directors said they have capacity for more children. If this arts tax credit would get more children to experience different arts programs in the city of Mississauga, it would be great news for us. As a father of 12- and 8-year old daughters, I am particularly pleased. This is exactly the kind of thing we need to encourage our children to be more active in the arts.

I am delighted with all the provisions in this budget. I have highlighted just a couple of them for the benefit of the House. This is a budget that would move us forward. It is modest and responsible in difficult times, when we are trying to continue to move the economy forward. These are very important tax credit initiatives. I am pleased to be part of a government that is putting people first.

•(1655)

**Mr. Tyrone Benskin (Jeanne-Le Ber, NDP):** Mr. Speaker, my hon. colleague spoke about the children's arts tax credit. Yes, it is an interesting prospect for those who can afford it.

I have worked in the arts for over 30 years. I worked a lot with young people, using arts as a means of helping them connect with themselves and find ways through some of their issues.

A lot of the people I worked with cannot afford the kind of programs that this tax credit targets. I developed two programs for people who cannot afford the arts but should have access to them.

Could the hon. member speak to how this tax credit in particular helps those people?

**Mr. Brad Butt:** Mr. Speaker, my experience, as someone who has been involved in the arts and recreation community in Mississauga for quite some time, is that most of these programs are delivered at the municipal level. The municipal governments decide what the registration fees will be. Non-profit groups run these programs and there is often a subsidy at the local level that helps keep the cost down.

At the federal level, we can do what we are doing, which is providing the additional incentive to parents who are obviously making modest incomes. We can provide an additional tax credit to them to greater encourage them to enrol their children in artistic programs.

It is a good initiative by our government. It is not designed to help every single child, but it is designed to help millions of children who can take advantage of it across the country.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I want to speak to Bill C-13, and quickly because I noted it is the 11th month, but it is not the 11th month of this budget year, because we operate the Government of Canada on a fiscal year from March to March.

I note also that the House took quick action in June to make sure the Government of Canada had the money it needed to operate, so we are debating substantive measures in Bill C-13, and many of them. It is a long bill.

Being a long bill, there are things in here with which I would agree. For instance, I agree with part 7 to provide help for students and student loans for people who are going into the medical field, but I am concerned with clause 181. I am sad that when we put forward amendments to clause 181 there was a closure on debate, so I was not able to speak to my amendment.

My question for the hon. member for Mississauga—Streetsville is, how will getting rid of the most efficient, fair and democratic part of taxpayer support for political parties create any jobs in our economy?

•(1700)

**Mr. Brad Butt:** Mr. Speaker, we are of the view that political parties should raise their own money. Taxpayers should not pay for it. I just ran an election campaign. I had to work real hard, not just getting votes, but raising money, and that is part of the political process.

I do not think taxpayers want to subsidize political parties through their tax money any longer, so we have included it in the bill. We were very clear. In fact, we ran an election campaign on phasing out the subsidies. We did not snap this on the House the minute the House came back in June. We were very clear with Canadians.

I think there is actually some moderate support among opposition members. They may not say it publicly, but a fair number of opposition members probably support phasing out taxpayer subsidies to political parties.

We were very clear. We campaigned on it. We won a majority government. We are implementing. We are getting on with the job.

**Mr. Dave MacKenzie (Oxford, CPC):** Mr. Speaker, I am very pleased to have been in the House to listen to my colleague from Mississauga—Streetsville. If members here listened to him, they would be happy to go to the vote and pass this budget right now. His speech was superb and I congratulate him. That is the bonus of having had that last election. Like he said, he is now here and it is better for all of us.

*Government Orders*

Our government is focused on what matters to Canadians: creating jobs and promoting economic growth. Canada has the strongest job record in the G7 with nearly 600,000 net new jobs created since July 2009 and the International Monetary Fund projects it will have among the strongest economic growth in the G7 over the next two years. Yet we are not immune from global economic turbulence. That is why we need to stay the course and implement the next phase of Canada's economic action plan.

Municipalities across Canada can rest assured that the next phase of Canada's economic action plan includes legislation to make the gas tax funding for municipalities permanent. Canada's government will be putting into law the permanent annual investment of \$2 billion in gas tax funding for cities and towns to support infrastructure projects. My own municipalities in Oxford will receive a staggering sum of \$25,216,242 over the next four years. That is a sizable amount of money and is certainly appreciated.

We on this side of the House understand the need for many involved in the agriculture sector to possess legitimate firearms. Bill C-13 would provide funding of \$20 million to continue to waive firearms licence renewal fees for all classes of firearms. Upon the passing of the budget, until May 2012 not a single firearms owner will pay a fee of up to \$80 to renew a licence. It is with sincere hope that the cost-consuming, ineffective long gun registry will soon be a thing of the past, in turn further reducing the financial burdens of those in the rural agriculture sector.

Over 600,000 new jobs have been created in Canada. We did not want to stop there. We have included a new hiring credit for small business to support local job growth. The new hiring credit would provide a one-time credit of up to \$1,000 to encourage additional hiring. The Canadian economy has weathered the storm of the global economic recession, but it is still very fragile. We understand that struggling businesses may need extra assistance.

The wage earner protection program has been allotted \$4.5 million annually to expand the program to cover Canadian employees who lose their jobs when their employers' attempts at restructuring take longer than six months, are subsequently unsuccessful and end in bankruptcy or receivership. In light of this, we are renewing programs to help unemployed workers, meaning their best 14 weeks and participation in the EI working while on claim pilot project will be considered.

To further assist Canada's manufacturing sector, which is prevalent in my riding, we are extending the accelerated capital cost allowance to help manufacturers and processors make new investments in manufacturing and processing machinery and equipment. Our government's long-term goal remains to provide the right conditions for a sustainable and viable North American auto sector in which Canada maintains its share of auto production and jobs.

A shining example of this was demonstrated in the recent funding announcement made at the Toyota manufacturing plant in my riding of Oxford to support the manufacturing of the electric Rav 4. The electric Rav 4 will be the first electric vehicle to be assembled in Canada and the first electric vehicle to be assembled by Toyota in North America. Toyota's investment in project green light is \$506 million. The federal contribution of 14% of this amount is up to

\$70.84 million, with an equal contribution from the provincial government.

Numerous constituents have voiced their concerns to me regarding the red tape surrounding access to information and federal government services concerning small businesses. That is why Canada's government is continuing its efforts to reduce the red tape by upgrading the BizPal service and further online consulting is being made available to Canadians to continue to be a part of the process by providing their input.

I would also like to highlight the great success of the Sand Plains community development fund in my riding and across southwestern Ontario. The Sand Plains community development fund was created by Canada's current government in August 2008 with a commitment of \$15 million to the region. Since its formation, there have been 202 full-time jobs created, 54 part-time jobs created, 119 seasonal jobs created and 256 jobs sustained in the southwestern Ontario area.

● (1705)

More specific, I would like to talk about the biomass project by Canadian Biofuel in my riding of Oxford that was partially funded through the Sands Plains development fund. The project, formerly a Cargill grain elevator and feed mill facility, will now produce roughly 1,500 tonnes of biomass per month. Low in greenhouse emissions, it can also be used to heat homes and even supplement coal in generating electricity. Initially waste wood was used to make the biomass fuel, however, the company plans to establish a local supply chain of raw materials by encouraging local farmers to grow miscanthus grass and other renewable crops that can be turned into biomass fuel. In addition, this project will create 35 new jobs.

I am very pleased to announce that Canada's government will be phasing out the unnecessary per vote subsidies for political parties. Governments have a sworn duty to use the hard-earned dollars of taxpayers wisely and only in the public interest, especially in a time of required fiscal restraint when families are struggling to make ends meet.

Specifically, Canada's government will introduce legislation to gradually reduce the \$2.04 per year per vote subsidy in 51¢ increments, starting April 1, 2012, until it is completely eliminated by 2015-16. This will generate savings ramping up to \$30 million by 2015-16. Our government has always opposed direct taxpayer subsidies to political parties and believes that the political parties should rely primarily on their supporters for their financing.



*Government Orders*

Since 2006, Canada's economic action plan has provided, and will continue to provide, tax relief to hard-working Canadians. Taxpayers in Ontario alone can expect to see approximately \$970 million in tax relief in 2011 and the following fiscal years.

I and the residents of Oxford look forward to a speedy passage of Bill C-13. I strongly encourage all parliamentarians to seize this opportunity of unity in Parliament to give Canadians what they deserve, what they have been waiting for and in many cases, what Canadians desperately need.

[Translation]

**Mr. François Choquette (Drummond, NDP):** Mr. Speaker, I would like to thank the hon. member for his very interesting speech. However, in a report published on September 29, 2011, the National Round Table on the Environment and the Economy stated that the cost of climate change would be close to \$20 billion a year by 2050.

What environmental policies does the budget contain? I have already shown that only four or five of the 600 pages of the budget focus on the environment. This is laughable, given that all Canadians think the environment is a priority.

How can the Conservatives prove to us that the environment is a priority for them, too?

● (1710)

[English]

**Mr. Dave MacKenzie:** Mr. Speaker, in fact, I know there are a lot of costs involved in this economy. One of the costs is jobs, if we do not get the bill passed. A lot of jobs are waiting for it to be passed. A lot of jobs should be sustained.

I look at my own riding, if he is only interested in that aspect. We have Toyota manufacturing. This government put \$70 million into what Toyota is doing on a RAV4 electric vehicle. It will be sensitive to the economy. Those are the kinds of things that have to happen.

I certainly wish that my colleagues across the floor would see the importance of getting this budget passed and do it quickly.

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, I would like to speak to what is not in the budget and what the government might think about going forward.

One in five Canadian children lives below the poverty line, which may lead to poor nutritional status and poor child health outcomes. Fortunately, school nutrition programs are highly effective in providing children with nutritious diets, better cognitive abilities and health. Unfortunately, Canada is one of the few developed countries without a national nutrition program. If we had a national school meals program implemented in Canada's high schools at a cost of \$1.25 per meal, with the goal of increasing graduation rates by just 3%, the annual payback would be \$500 million.

Does the hon. member think that we should have a pan-Canadian nutrition program?

**Mr. Dave MacKenzie:** Mr. Speaker, this is very important. The best way to help Canadians out of a cycle of poverty is to provide jobs. That is what this budget is about, providing jobs for Canadians. It is high time the opposition got with the program and realized the importance of passing a budget that is good for all Canadians by providing jobs.

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, my friend from Oxford gave a very informative speech. He is an eloquent speaker and has an incredibly strong history of protecting Canadians. He represents a region where there is a lot of industries. Those industries were struggling and they were troubled about how they would keep going. Something that has not been talked about a lot is the work-sharing program that we extended and then we continued it again in our fall economic update.

Could the member give us some insight into how that has helped industries in his riding of Oxford?

**Mr. Dave MacKenzie:** Mr. Speaker, that is the finest Minister of State for Finance we have had in the House. He has done a tremendous job for us.

Regarding the work-sharing program in my riding, he is absolutely right. We have a tremendous amount of manufacturing. We have Toyota motor manufacturing, a GM plant and a Hino truck plant in my riding. We also have a lot of agriculture in my riding. The work-sharing program has been beneficial to all those sectors. It has been able to keep experienced, well-trained employees available for those people. As we have helped the industry come back, they have been able to help the industry by providing that expertise when they got back up to full strength in the economy. It has been a tremendous asset.

[Translation]

**Mr. François Choquette (Drummond, NDP):** Mr. Speaker, I am pleased to rise here today to speak to Bill C-13. I wish to inform you that I will be sharing my time with the hon. member for Timmins—James Bay.

The title of the bill is the Keeping Canada's Economy and Jobs Growing Act. So much for growth, since the budget grants tax cuts to large corporations without setting any conditions. What a mistake. Not only are these tax cuts not contingent on the creation of new jobs, but they also do not put Canada on the right track for the future, that is, the green track, the environmental track.

I will explain why this legislation is but a drop in the bucket in terms of the challenges we will face in the coming years. And they will be significant challenges.

First of all, as I mentioned, this bill will not create any new jobs. We must continue to create jobs because there are still too many people left behind in our beautiful society. There are too many in Canada and too many in my riding of Drummond.

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The huge gap between the rich and the rest of the population continues to grow. The vast movement of global occupation and protest illustrates the fact that Canadian families, and families in Drummond as well, are feeling a tremendous amount of pressure. Relief agencies and poverty assistance groups in my riding are being used by more people, which worries me a great deal. This is happening all over Canada, but I am most concerned about what is happening in my riding. I have an article here from a local paper, entitled "Homelessness: organizations lament the lack of support from the federal government". Clearly, these organizations are speaking out because there is not enough funding.

I would like to take a moment to commend the excellent work of some of the organizations in my riding, such as the Carrefour d'entraide, the Comptoir alimentaire Drummond, Ensoleilvent, Refuge la Piaule, the Maison Habit-Action, the Tablee populaire and the Maison de la famille.

The problem is that in order to properly support our population, adequate funding is needed. In that regard, the article is very clear. The problem is very serious. Here is an excerpt from the article:

Assistance provided and requests for assistance at both the Comptoir alimentaire and the Carrefour d'entraide have jumped by more than 20% over the past two years. Although the situation is getting worse, funding from the federal government's homelessness partnering strategy has not changed in 10 years.

They have seen an increase of 20% over the past two years, but funding has not changed. We can see that this is not working and that there is a problem.

However, I can already hear the Conservatives apologizing for abandoning people in need in the riding of Drummond, saying that the best way to fight poverty is through job creation. But the Conservative government is not providing enough support for people living in poverty—seniors, children and families. Every week I get a lot of messages saying that I absolutely must prioritize assistance for seniors because they are having a hard time making ends meet. It is crazy that I am getting these messages. There is a problem. There are problems with funding, but the Conservatives are also not doing anything to really help create jobs in Drummond.

On the contrary, the Conservatives' actions are so detrimental to our economy that I have received around 100 letters, which I have here. All of these letters are from SMEs in my riding. They tell me that there is a problem, that the Conservative government is not doing its job and that they are not able to support their jobs because of increased employment insurance premiums for employers and employees. The SMEs do not support this bill.

Canadians are looking for serious, tangible measures to create jobs. For example, the government could bring in a job creation tax credit of up to \$4,500, as the NDP suggested. This initiative would help create 200,000 jobs that would help support families every year.

• (1715)

We proposed extending tax credits for investments that support employment such as the accelerated capital cost allowance for eligible equipment and machinery. The government absolutely has to accept that when it comes to jobs, its plan does not work. The government has to stop thinking that simple gifts to major corporations, the banks and the oil and gas industry are measures that help create jobs. That is not true. That will not create jobs in

Drummond. We need real measures to create jobs and to help the environment.

Speaking of oil companies and the gas industry, does the Conservative government really believe they are the industries of the future? Are these really the energies of the future? Does it truly believe that oil from the oil sands is ethical oil? Give me a break.

In my riding, people are increasingly joining forces to defend our environment. Recently, people in my region went to the gas production sites that are using hydraulic fracturing in Pennsylvania. They were completely devastated by what they saw. They came back and said it was worse than they thought. This industry is so harmful to our environment. They fear for our air quality, our drinking water, our farmland and the value of our properties and our land.

Nothing in this legislation will ensure a better environment for our children. The environment is important, as I was saying earlier. It is a priority for every constituent in my riding. But the Conservative government's current provisions risk mortgaging our beautiful planet and the quality of life of our children and our children's children even more.

Instead we could be establishing a serious plan of major investments in research and development for a green economy focused on renewable energies. I want to bring hon. members back to the NDP platform again. It has many good solutions to offer to the Conservatives. We could implement a carbon pricing mechanism using a quota exchange system, which would set ambitious emission limits for major polluters in the country, in order to ensure that companies pay their environmental bills, and provide an incentive to reduce emissions.

The NDP has another interesting proposal—to make Canada a world leader in renewable energy. Earlier, an hon. member spoke about electric cars. Fine, but they are still in the early stages; there is much more to be done. The electric car needs a lot of improvements. The money from selling emissions permits could be equally redistributed. These funds would be invested in sustainable technologies, commercial and residential energy conservation, public transit, renewable energy development and transitioning workers to a sustainable economy.



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Last week I was at the Quebec energy forum in Shawinigan. The point was made that improving public transit is one of the most important factors in preventing climate change. Public transit is currently being driven by the plans of businesses and contractors. Urban planning needs to be improved in order to have effective public transit. If urban planning is done with the automobile in mind, everyone will use their cars. But if urban planning were done with public transit in mind, it would make sense and be profitable to use public transit. I could list many measures. I want to repeat that the National Round Table on the Environment and the Economy reported that climate change will cost Canada \$21 billion by 2050. We need to make the necessary transition, and if the Conservative government does not do it, others will have to.

We are ready to take those steps. The environment and job creation are our priorities. A responsible government must invest to encourage job creation, to fight climate change and to move toward a green economy and green energy instead of giving tax cuts to big business and big oil. We have to change how we do things.

● (1720)

[English]

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, I like to ask about things that are not in the budget, so the government can think about these things going forward. I have asked repeatedly about stem cells because they save lives, they save money and they have a critical role to play in the future of Canada.

In December 1999, the editors of *Science* called stem cell research “the breakthrough of the year”. Since then, there have been numerous announcements about developments in stem cell research and hints of promising treatments for diseases, such as ALS, Alzheimer's disease, cancer, cardiac damage, Parkinson's disease and type 1 diabetes.

Does the hon. member think that the federal government should increase financial support for stem cell research?

● (1725)

[Translation]

**Mr. François Choquette:** Mr. Speaker, I thank my colleague for her excellent question.

I am not an expert on health, but it is clear that investing in research and development is vital for the future. I spoke about this especially in connection with the environment, a subject with which I am somewhat more conversant. We should not believe that the auto industry will be the one to make revolutionary environmental changes. Its research and development must be supported by a responsible government that has a long-term plan. That is also the case for public transit or health. If we want to ensure that we have better health, we must support research and innovation in this sector.

[English]

**Mr. Tyrone Benskin (Jeanne-Le Ber, NDP):** Mr. Speaker, we hear from the other side that it is about jobs, like it is a magic bullet. Yes, jobs are important, but I think we need to look at the situation in a three dimensional way. Jobs are part of the issue but if those jobs that are being put forward damage the environment, then what is left for our children after that?

I wonder if my hon. colleague could comment on that.

[Translation]

**Mr. François Choquette:** Mr. Speaker, I would like to thank my hon. colleague from Jeanne-Le Ber for his question.

At present, the Conservatives are boasting that they have created 600,000 jobs. They have actually miscalculated because, in reality, according to the figures I have here, and based on the peak in July 2008, we have a deficit of 250,000 jobs. That is the number required to maintain the same number of jobs proportionally, because there has been an increase in population since 2008.

Not only is there a deficit of jobs but, in addition, existing jobs are often precarious and part-time. Unfortunately, there is no future in the type of jobs being promoted by the Conservatives. It is not true that oil or the oil sands are the future. Renewable energy, such as biomass, wind and solar energy, is the future. That is where we have to invest and what we should be focusing on. That is why I am inviting my colleagues opposite to think about job creation that will take into consideration our society, the environment and the future of our children.

**The Acting Speaker (Mr. Bruce Stanton):** We have time for a brief question and a brief answer. The hon. member for Hochelaga.

**Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP):** Mr. Speaker, does my hon. colleague think that a national public transit strategy could not only be good for the environment, but also create jobs?

**Mr. François Choquette:** Mr. Speaker, I will be very brief. That is exactly what I think and that is what we must do. We absolutely must create a national public transit strategy. That should be made a priority immediately, and not in five or ten years. We must take care of this right away and stop planning our cities and our society around cars. As long as urban planning focuses on cars, we will continue to travel in cars. We need to rethink it with a focus on walking, cycling, public transit and electric trains. Those are the means of the future. That is what could define us and distinguish us from other societies. We have all the means to do this, so let us do it.

● (1730)

[English]

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, as always, it is a great honour to stand up in this House and represent the region of Timmins—James Bay and the people there who I have such great faith in their common sense.

I am debating a bill on the economy, which is crucial at this time when we see that 700,000 jobs have been lost. The outlook for growth that we are seeing for Canada is not nearly as rosy a picture as the Minister of Finance is presenting.

*Government Orders*

What we are seeing here from a government is a Minister of Finance who, under his tenure, has been like the cartoon character, Mr. Magoo, who continually steps outside the window and, as he is falling, manages to get onto another plank. He thinks that his rosy forecast will somehow get us through.

What I am hearing in my riding contradicts the spin that comes from the government. For example, when I was at the Tim Hortons, I met a 68-year-old man who told me that he had to go back to working underground at the mine because his Canada pension was not sufficient.

We are in a national pension crisis. The New Democrats have been raising the alarm bells about that. The government stalls, studies, stalls some more and now it has this pooled resource pension poodle plan that will do nothing to help the fact that we need to overhaul the CPP. The CPP is much more efficient, and it knows that, but it would rather that the money go to its friends in the banking sector. It will not go to help people back home.

We are hearing about the need for serious investment in doctors in northern and rural areas. Most Canadians are already realizing what the government does not know, which is that we rank 26 out of 30 in industrial countries in terms of doctor per capita and that we are looking toward a 60,000-person shortfall in terms of registered nurses by 2022 if nothing is done.

The government has no desire to invest. That is one of the commitments. Its idea is to give a tax break by moving people around. It will simply move some doctors from urban areas or small communities into rural areas and that will somehow alleviate the problem. People know that will not alleviate the problem.

What we are seeing are a series of smoke and mirror incentives. The government promised incentives that it actually never delivers on. For example, the compassionate care benefits program has a budget of \$190 million annually and yet it only spends 5%. There are people back home who need compassionate care, and it is not as if they are not applying. What the government does is it promises but it does not quite deliver.

In order to keep us not focused on the economy, it throws out the red meat to its base. All day long, I have heard about how it is a principled party that does not believe in subsidizing partisan schemes with electoral dollars, taxpayer dollars, that it is the party that opposes subsidizing the electoral machine.

However, among the first two senators picked was Mr. Gerstein, the Tory bagman, and Doug Finley, who ran the Conservative campaign. The Conservatives put their people in there, people who worked for them. They get paid by the taxpayers until they are 75 years old.

I will quote Mr. Gerstein's opening speech in the Senate just so people know what a great politician he is. He said that he was proud to be a bagman, that he proclaimed it. He went on to say, "Oh, by the way, I love politics, I just never had the time to become a candidate". He said that on November 27, 2010. He just never bothered to become a candidate. He never bothered to go out and actually participate in the democratic process. Senator Gerstein is a bagman. What he does is he collects money for the party.

I do not have a problem with him being proud of it but it is funny that he gets paid by the taxpayer until he is 75. What are Mr. Gerstein and Mr. Finley's great contributions to Canadian political life? They were two out of the four who were charged and had to plea bargain in the biggest case of electoral fraud in Canadian history.

Let us look at what they were involved in in terms of ripping off the taxpayer. They would take these dead dog ridings the Conservatives had out in the middle of nowhere where they could not get any votes and they would funnel money from the central party through those ridings. Then they would get those ridings to go and demand the rebate, so that the taxpayer was paying for this scheme.

That is not to say that all Conservatives are corrupt because a number of Conservative riding associations said that they did not want to participate in money laundering, that it was not something they were going to do. However, a number of them did.

• (1735)

They had to plea bargain when they finally ran out of road. Both Mr. Finley, who again we pay for until he is 75, as well as his staff and his benefits to work for the Conservative Party, and Senator Gerstein, who we will also pay until he is 75, as well as all his staff, had to plea bargain. The Conservatives have never answered the question about when they will pay back all the money they received from the in and out scheme before they were busted. That was money that went directly from taxpayers.

When we see this party get up and talk about how its members will be clean on this, when they had to plea bargain in the biggest electoral fraud scheme in Canadian history, it is a little rich. It is a little too rich for the Canadian taxpayer who is having to support and subsidize this party in its continual undermining of the parliamentary system.

We have talked about the Conservatives' lack of plan for pensions, health care and jobs. Of course they have no vision with respect to real investments, so they are making massive across the board tax cuts. In a time of recession we are seeing very large corporations sitting on their cashflow. They are not moving it.

The New Democratic plan was to actually target our investments, so that corporations would get tax incentives if they actually create jobs. If they reinvest in the economy, they would get an investment from us in support. However, if they just want to sit on that cash, then they would not get any.

The Conservatives' idea of job creation was to build a pipeline and ship raw resources to a refinery in Texas. This was such a crackpot idea the Americans did not want anything to do with it. Our colleagues over there had no clue that the Americans were not interested. They wanted to ship raw bitumen to a refinery in Texas and tell Canadians that this was somehow to their benefit.



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We saw the government's lack of plan for resource development. I saw it in my own region in Sudbury and Timmins. We saw it in Thompson, Manitoba, when the now Muskoka minister allowed the takeover of Falconbridge and Inco. The first thing that they did was to start shutting down the refining capacity, just like they shut down the refining capacity in Montreal, because they didn't want the competition.

Now in Ontario we do not have any copper refining capacity left. It was shut down. The government thought that was a good idea. It thought that allowing one of the greatest mining companies in the world, Falconbridge, that had an international reputation, to be taken over by a corporate bandit like Xstrata was all right. It allowed Inco, the greatest mining giant Canada ever produced, to be taken over by Vale and have the resources stripped and high-graded.

Now what we are seeing is this lack of plan for investments. Therefore, we should not be surprised that the government would think that the best idea for job creation is to build a pipeline to ship raw bitumen to Texas where it will be refined to the benefit of Americans, and that will somehow build an economy.

We believe that we have an immense ability, with our resources, to create jobs and if we are to create those jobs, we need to develop and refine the resources here. We are not like the Conservative Party who believes that the idea of being open for business is, "Come and take us for a ride". That is the Conservatives' notion toward all resources. That is why they rolled over on the softwood lumber deal when Canada had won trade after trade disputes at the WTO. We found ourselves completely handcuffed by the fact that they undermined our position. That was back at the international trade level.

This is a government that believes resources should be given away for free. In a country as rich as Canada is in resources that is not a long-term strategy.

We need to reinvest. We need to do it in job training. We need to support businesses that actually want to reinvest in our economy. We need to make the most out of our resources. We need to ensure that our northern and rural areas have access to doctors. We need to ensure that every Canadian has a proper pension plan; not some kind of makeshift plan that the Conservatives have come up with but something that will ensure that CPP is there for the next generation just like it was for the last generation.

I am more than proud to take any questions.

**Mr. Mike Wallace (Burlington, CPC):** Mr. Speaker, although I appreciate the comments from my colleague on the opposite benches, I obviously disagree with them 100%. When the member tells his constituents he will vote a certain way on the gun registry and then votes the opposite way once elected, is he misleading his constituents before or after he was elected? Which is it? I am not sure what he considers ethical in his position.

• (1740)

**Mr. Charlie Angus:** Wow, Mr. Speaker, I have just been floored by one of the greatest performances I have ever seen in democratic history, or how about not. I was actually expecting Annie Oakley to ask me the question.

A member from Manitoba actually came to my riding and had maybe 15 people show up.

If the member knew anything—

**The Acting Speaker (Mr. Bruce Stanton):** Order, please. The hon. member for Burlington is rising on a point of order.

**Mr. Mike Wallace:** Mr. Speaker, would you remind the member what name calling an individual member can do to other members. That member used inappropriate parliamentary language when he called a member on this side of the House—

**Some hon. members:** Oh, oh!

**The Acting Speaker (Mr. Bruce Stanton):** Order, order. In order to evaluate the point of order that the member for Burlington is trying to raise, I do need to hear what he is saying. There is too much noise in the chamber.

I wonder if the hon. member for Burlington could finish his point of order and then we will see where we go from there.

**Mr. Mike Wallace:** I am finished, Mr. Speaker. I look forward to the report on what defines parliamentary language in reference to somebody else on the other bench.

**The Acting Speaker (Mr. Bruce Stanton):** I thank the member for Burlington for his point of order.

If members are referring to other hon. members in the House, or in the Senate for that matter, it is good to use names that are appropriate to the case, in this case a member of the chamber, either by his or her riding name or, as the case may be, by title if he or she is a parliamentary secretary or minister.

I am sure that the member for Timmins—James Bay will confine himself to that description.

**Mr. Charlie Angus:** Thank you, Mr. Speaker. My hon. colleague has one important point. I might have said as a metaphor that she was Annie Oakley and not like Annie Oakley. I referred to someone earlier as Mr. Magoo. Referring to people as historic characters is irrelevant to the issue.

What is relevant is the fact that during the last election I talked to my constituents about the government's lack of plan for pensions. I talked about the government's complete disregard for the lack of rural doctors. The Conservatives came into my riding and the only thing they talked about was guns.

The people of Timmins—James Bay overwhelmingly voted for the New Democratic Party because they knew we were right and they supported us. The Conservative government has nothing to offer, otherwise it would have a Conservative member in northern Ontario—

**The Acting Speaker (Mr. Bruce Stanton):** Order, please. Questions and comments, the hon. member for Cape Breton—Canso.

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, maybe some members in the chamber will not know this, and some people who may be watching at home as well, but my friend is a very accomplished Juno nominated songwriter and has written some fabulous songs. *Crossin' the Causeway* is one of my favourites. It is a great song.

The member would agree with me that one important aspect of songwriting is ensuring that when titling a song, the title should reflect something that is through the actual body of the song.

The title of this particular piece of legislation is “Keeping Canada's economy and jobs growing act”. Because 40,000 fewer Canadians are working this month than last month, would my colleague agree that the government might have missed the target a bit with the title of this particular piece of legislation?

**Mr. Charlie Angus:** Mr. Speaker, I am so glad I received such great respect from my hon. colleague.

He knows the song *Crossin' the Causeway* is about Cape Bretoners who had to leave to find work in Ontario. Unfortunately, the Conservatives responded by saying that if they did not like it, they could go to Fort McMurray. I have nothing against going to Fort McMurray, but I would like to see some investments in our region in terms of job training so people could stay.

I was actually surprised at what the government has called this bill. It is one of the most bizarre names it could ever come up with. I would have thought it should have been something like “Busted flat in Ottawa” or “Smoke on the water”, but it would probably be better to say “Smoke in the mirrors”. In terms of a credible name for a budget, it certainly does not pass that test. We can work on a song so maybe we can correct that.

**Mr. Daryl Kramp (Prince Edward—Hastings, CPC):** Mr. Speaker, today I am honoured to have the opportunity to speak on our budget implementation act. I am pleased to offer my own insight into what I really believe to be a budget for the times. The strength of our economy is referenced again and again by national and international bodies such as the World Economic Forum, the World Bank, and the International Monetary Fund. They all confirm that what we have been doing as a government is the right thing at the right time.

Clearly and indisputably, this budget is what is needed to take us on the road to recovery. However, our government does believe that one must be prudent and realistic, and recognize that challenging times are still ahead. The state of the world economy may still impact us in a negative fashion from forces beyond our control whether they be the Middle East, U.S.A. or Europe. Being a responsible government, we must do what we can and what we will do here is to manage the efficient and effective use of taxpayers' dollars. We must support families and individuals in a caring and compassionate manner.

In this budgetary process we propose and we will promote job creation and economic growth, certainly our number one priority, in a number of ways: by providing a temporary hiring credit for small business to encourage additional hiring; by expanding tax support for clean energy generation to encourage green investments; by extending the mineral exploration tax credit for flow-through shares investors by one year in order to support fully Canada's mining sector; by simplifying custom tariffs in order to facilitate trade and lower the administrative burden for business; by accelerating the accelerated capital cost allowance treatment for investments in manufacturing and processing machinery and equipment for two years in order to support the manufacturing and processing sector; and by eliminating the mandatory retirement age for federally

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regulated employees in order to give older workers the option to remain in the workforce.

We will support communities by legislating a permanent annual investment of \$2 billion in the gas tax fund to provide predictable, long-term infrastructure funding for municipalities. We will enhance the wage earner protection program to cover more workers affected by employer bankruptcy or receivership and we will introduce a volunteer firefighter tax credit for volunteer firefighters.

Mr. Speaker, I will be sharing my time this evening with the member for Prince Albert.

By increasing the ability of Canadians to give more to legitimate charities, we will introduce a package of integrity measures designed to help combat fraud and other forms of abuse. We will help families by introducing the new family caregiver tax credit to assist caregivers of all types of infirm dependent relatives. We will remove the limit on the amount of eligible expenses caregivers can claim under the medical expense tax credit in respect of financially dependent relatives. We will introduce a very popular new children's arts tax credit for programs associated with children's artistic, cultural, recreational and developmental activities.

We will certainly invest in education and training by forging loans for new doctors and nurses in underserved rural and remote areas. We will help apprentices in the skilled trades and workers in regulated professions by making occupational trade and professional examination fees eligible for the tuition tax credit. We will improve federal financial assistance for students by making it easier to allocate registered education savings plan assets among siblings without incurring tax penalties or forfeiting Canada education saving grants.

We will respect taxpayers by phasing out the direct subsidy of political parties by closing tax loopholes that allow a few businesses and individuals to avoid paying their fair share of tax.

Yes, by doing all of those things and many more, we are doing an absolutely tremendous service to a significant group across this country. We are supporting families. We are supporting seniors. We are supporting volunteer firefighters. We are supporting small business. We are keeping taxes low. We are keeping Canada on track for balanced budgets. We are supporting our farmers, our forest industry, and our manufacturers. We are investing in our environment. We are supporting students. We are protecting consumers. We are supporting Canada's charities and yes, as I mentioned earlier, we are phasing out per vote political subsidies for political parties which will support all taxpayers and which I note will negatively affect our governing party the most.

• (1745)

The budget implementation bill in process is a comprehensive piece of legislation covering a broad scope of Canadian society. I would like to offer some personal insight on one particular component of the budget and that is the measures for small business.



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I was a small business owner for over 35 years, prior to my election in 2004 as a member of Parliament. I have extensive experience in retail, wholesale, hospitality, sports, tourism and trade. As such, I am pleased that we will implement a number of key measures to assist small businesses, which are the cornerstone of our economy. We will do it in a number of ways.

One is by a new-hire credit for small business. This is a temporary one-time credit of up to \$1,000 toward a small firm's increase in its 2011 employment insurance premiums over those paid in 2010. This new credit will help up to 525,000 employers defray the cost of additional hiring. That is over half a million businesses, a significant impact for Canada, particularly in the rural areas.

We are reducing the red tape by upgrading the BizPaL service and further consulting Canadians through the Red Tape Reduction Commission. I commend the hon. Minister of State for Small Business and Tourism for the work he is doing.

For our youth entrepreneurs there is \$20 million to support the Canadian Youth Business Foundation activities. This foundation works with young entrepreneurs to help them become the business leaders of tomorrow through mentorship, learning resources and start-up financing.

We are extending the work-sharing arrangements to help business keep workers. We are providing \$10 million in additional support to assist those employers that continue to face challenges by making available an extension of up to 16 weeks for active or recently terminated work-sharing agreements.

We are extending the accelerated capital cost allowance to help manufacturers and processors make new investments in manufacturing and processing machinery and equipment.

This builds on our government's significant action to reduce taxation for small business where we increased the small business limit to \$0.5 million. This refers to the amount of income earned by small business eligible for the reduced federal tax rate where we reduced the small business tax rate from 12% to 11%.

We are lowering the federal corporate income tax rate to 15% by 2012, as passed in Parliament.

These reductions will help create jobs and economic growth for Canadian families and communities.

We have increased the lifetime capital gains exemption. We are helping companies invest in themselves through a temporary 100% capital cost allowance rate for computers. We eliminated the corporate surtax for all corporations in 2008. While the elimination of the surtax benefits all corporations, it is of particular benefit to small business corporations since the surtax represents a larger proportion of their overall tax payable.

In addition, the creation of the Red Tape Reduction Commission has helped reduce unnecessary and ineffective regulations so small business can focus on growing and creating jobs.

Our government recently released a code of conduct for the credit and debit card industry in Canada to protect small businesses.

For much of my life I was very active in the sporting world. I observed that in the game of hockey there are two types of players. There are those who simply heckle and have no focused commitment and there are those who act decisively and get positive results. Our Conservative Party believes that our team must have a solid game plan in order to get that puck down the ice and in the net.

The budget implementation bill would do just that. It certainly deserves the unanimous support of the House. I am pleased to see the overwhelming encouragement and support from my colleagues across the House in support of our initiative.

• (1750)

[Translation]

**Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP):** Mr. Speaker, the last speaker was very proud to repeat that the Conservatives have a policy to support volunteer firefighters. However, upon closer examination of the clause in question—something that I have done but that the members opposite obviously have not—we see some absurd things. Not all 85,000 volunteer firefighters are entitled to this credit. Those who work fewer than 200 hours are not eligible and neither are those who work for the municipality as blue collar workers, white collar workers or first responders.

The remaining 55,000 volunteers have to share the massive amount of \$15 million, which means that they get \$300 each. And the Conservatives have the nerve to tell us that this is a good policy to support volunteer firefighters. This will not buy volunteers trucks, equipment or training and it will not allow them to participate in a national public safety structure. All the Conservatives have done is talk about supporting volunteer firefighters. Nothing more. And so, I would like the Conservatives to talk a bit more about this measure and what it will really do for volunteer firefighters.

• (1755)

**The Acting Speaker (Mr. Bruce Stanton):** Order, please.

[English]

I remind hon. members that it is a good idea to check with the chair from time to time as one is responding or questioning to see the signal so we can keep on time.

The hon. member for Prince Edward—Hastings.

**Mr. Daryl Kramp:** Mr. Speaker, my hon. colleague seems to be suggesting that there is no need for a tax credit, and that we should just give everybody in Canada a refund. Where does he think those kinds of dollars would come from? That would upset the apple cart so much that there would hardly be any dollars left for anything in life.

Governments have to make a decision and that decision is based on what they think will get the best results. We responded directly to the firefighters, to their organization. This is what they asked for. There are 85,000 volunteer firefighters in this country. I have talked to a number of firefighters. We attended the various sessions on the Hill and we attended their organizations. The vast majority of firefighters is very pleased with the government's approach.

There is always the hope that every bill, every option and every motion will cover every person in Canada, but that is not the case. The people I have talked to say this initiative has been very widely accepted by the vast majority of volunteer firefighters.

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I always enjoy the remarks of my colleague from Prince Edward—Hastings.

He talked about the Conservatives having a road map and a vision. I disagree with that, of course, because the problem with their road map and vision is that they leave too many people out.

My question relates to firefighters as well. One of the shortcomings of the government's proposals in several areas is that the tax credits should be refundable. The lower income scale does not qualify for a tax credit. The tax credits need to be refundable.

My question is a simple one. Does my hon. friend really think that a low income earner who is working for a fire department is any less deserving in terms of that assistance from the Government of Canada than a higher income earner who is doing the same work and taking the same risks?

**Mr. Daryl Kramp:** Mr. Speaker, I will just flip that around. If there was a tax credit that the hon. member might be able to use on his farm but his income suggested it was not there, should every dollar that would be used as a tax credit automatically be sent to him as a refund?

That is not doable in today's economy, let alone in a booming economy. I would suggest to the hon. member, with all consideration, that he give his head a shake and try to be real in situations like this.

**Mrs. Cathy McLeod (Parliamentary Secretary to the Minister of National Revenue, CPC):** Mr. Speaker, I cannot help but contrast the remarks of the member for Prince Edward—Hastings and the remarks of the member for Timmins—James Bay.

Our colleague from Timmins—James Bay talked about his broken promise on the long gun registry and that his constituents were wondering about the plan, what were we doing about doctors and what were we doing about jobs and growth. I think the member for Prince Edward—Hastings answered it very articulately.

I would appreciate it if he would talk about the rural doctor issue.

● (1800)

**Mr. Daryl Kramp:** Mr. Speaker, I certainly know the background of the hon. member and her years of dedication to the health field.

As a person living in a rural area, I can say that it has always been a challenge to have a family physician. We have addressed that in a number of different ways, through relocation fees, subsidy and support. The most important thing is that we are doing what we said we would do. In the March budget, we laid out the elements that we would do. To the shock and horror of the opposition we are doing what we said we would do. We are doing what the Canadian population elected us to do. Is it not refreshing to have some honesty on the scene for once?

**Mr. Randy Hoback (Prince Albert, CPC):** Mr. Speaker, I want to start off by thanking people on the finance committee, the Minister of Finance and the Minister of State (Finance). A lot of work went into the background and creation of this great document

that Canadians outright approved of on May 2 when they elected a majority Conservative government.

### *Government Orders*

When we look at the budget, there are many items in it. I will mention a few. There is the volunteer firefighter tax credit, the gas tax fund rebate for infrastructure for municipalities, forgivable loans for doctors, arts tax credits, phasing out political subsidies and closing tax loopholes. That is the tip of the iceberg of a great bill and a great piece of legislation. When we all look at all that, we wonder why anybody would even debate it. All clauses of this bill should have passed at one time, in one sitting, and we could have moved on to other important parliamentary business.

Our government is definitely focused on the economy and jobs. That is our role and that is what we understand Canadians want us to do. That is what we ran on in the last election and that is what this budget is doing.

To start off, I will talk about the forgivable loans for doctors and nurses in rural Canada. When I talk to constituents in my riding, that is the number one issue. They ask where they have to go to see a doctor, why they have to drive to a major centre to see a doctor and why they cannot see a doctor in their small town or even in a little town close by.

When I grew up in Canwood, there was a guy by the name of Dr. Ed. Dr. Ed was on call 24 hours a day, seven days a week. Everybody remembers Dr. Ed. If it was midnight, we could call Dr. Ed, and he would make sure we were taken care of. That was back in the 1970s and 1980s, and those days are gone. Dr. Ed has moved on, God bless his soul, and now people are looking for a doctor to replace him. Unfortunately, I understand doctors do not want to work 24 hours a day. They want companionship. They want to see their patients in a timely manner and do it in such a fashion that they can enjoy life with their families.

This forgivable loan would do a lot to attract doctors and nurses to rural Saskatchewan. Once doctors are taken out of the city and brought to Nipawin, Carrot River, Melfort or Teesdale, it is amazing how quickly they adapt. Their kids end up playing hockey and sports and their families get involved in the community. This forgivable loan allows us to attract doctors and nurses to rural areas and makes it a lot easier for communities. I have been told on many occasions that the communities that search for doctors feel this is a very valuable tool to help them do that.



### *Government Orders*

That is not the only thing in this budget. There are also gas tax funds for municipalities. Every year I try to visit all the cities, municipalities and regional municipalities. I talk to them about their needs and see where we can work together on projects. They all thank us immensely for the economic action plan and for the stimulus that we started in 2008. They talk about how they added a water treatment plant, a sewage lift station, some culverts or a road. It seems as though every town had a need that it could not get, but under Canada's economic action plan, which the NDP and the Liberals voted against, it was done.

What they are asking now is for the gas tax to be continued. With the implementation of this bill, it will be continued. The thanks we get because of that are amazing. When I talked to the mayor of Prince Albert, that was the first question on his mind. He asked about what was happening with the gas tax dollars. He said those dollars were needed and there were still more projects to do. We are in hard times and we are being very careful and prudent, but we will not balance our budget on their backs, and they can count on the gas tax dollars to flow to them. The funds are bankable and are going to be delivered once this bill passes. That mayor and other municipalities know they have a stream of revenue coming from the federal government that they can bank on and use in their planning when they need infrastructure.

The volunteer firefighter tax credit is something that firefighters have been asking for year after year. All firefighters, volunteer or not, said this was a good program. This is what they asked for and this is what we gave them.

In my riding of Prince Albert, there is a volunteer fire department in the regional municipality of Buckland. Jim Miller runs that volunteer fire department. I took some pizzas out to the guys to say thanks. Actually, a \$3,000 credit is a token when we look at the hours these guys put in and what they sacrifice, not only the firefighters but their families as well, whether in fundraising or in trying to raise capital to buy another fire engine. On an emergency call when it is 25 degrees below zero at a nasty car accident that could involve a neighbour, these guys are on the scene. They appreciate the fact that we would acknowledge them and appreciate them. They appreciate the fact that we would thank them for their hard work and service and that we are recognizing this hard work. It is another measure that every party should stand behind. There is no reason to criticize it.

● (1805)

Another thing that was talked about was the arts tax credit. Again, we focused on sports. I am a sports fan; that is who I am. I love hockey and I played every sport when I was in high school. However, for the kids who want to take music lessons, dance, art work or drawing, that arts tax credit is there. It puts them on the same footing as the kid who wants to play hockey. I think that is a fair, balanced and reasonable approach. Obviously taxpayers approve of it, because they showed up on May 2 and voted for it.

We want to be fair to people and make sure that everybody pays their fair share of taxes by closing tax loopholes. Getting rid of unnecessary loopholes would ensure that everybody pays their fair share of taxes, and I think Canadians are proud to take on the responsibility of paying taxes.

I come from a province that used to be a have-not province. We had an NDP that wanted to do everything it could to be a have-not province to get money out of Ottawa. In Saskatchewan we were not proud of that and we told the government that we would rather pay our taxes.

We would rather make some money, pay taxes and contribute to the Canadian economy. We would rather contribute to our local economy by paying some taxes. We appreciate the services that the taxes pay for. We appreciate our doctors and the municipal services, such as roads and water, that we get through our taxes, so we expect people to pay their fair share, nothing more and nothing less. Of course, that is something this government is doing, and we are moving forward on it in this implementation plan.

The last thing I will talk about is respecting taxpayers' money. That is something we have to do as parliamentarians. We have to recognize the fact that this is not our money, but taxpayers' money. We have to respect the fact that they work hard for that money. Whenever we can give them a benefit or a tax break, they appreciate it. It shows we are doing our job here in Ottawa. They do not want to see a whole pile of new programs; they do want to see a whole pile of schemes and mechanisms to try to tax them even more. They understand the importance of tax reduction and they understand the importance of how the economy can grow when taxes are lowered. They can see the economic activity.

In Saskatchewan alone in the last four years, through a combination of good economic planning and tax reduction, that economy has gone from an unemployment rate of around 9% to, as they said last week, 3.3%. That is good stewardship, good tax planning and good governance at both the federal and provincial levels. That is what the taxpayers want out of us and that is what we are providing.

When I look at the phasing out of the political subsidies in the budget and all the things in it that could benefit the average Canadian family from day to day, I wonder why the opposition parties are so concerned over this bill. What is the issue?

It cannot be the volunteer firefighters tax credit, even though they try to discredit it because they know it is a popular part of the budget.

It cannot be the bankable gas tax funds. They cannot be against giving municipalities their gas tax funds. They could not vote against that, but maybe they could.

They cannot be against the forgivable loans for doctors and nurses for rural Canada. That would be crazy.

*Government Orders*

Are they against the arts tax credit? Is that why they are voting against the budget? Do they not want to see kids take part in arts programs? Do they not want to support Canadian arts and culture? I cannot see that. Is that it?

One thing I could see are the subsidies for political parties. That would make a lot of sense to me. It is their own survival. Instead of going out and raising funds from their contributors and the people who support their causes and their policy, telling people what their policy is, listening to them and getting input into their policy, it is pretty nice for them to get so much per vote. Could that be the reason they are voting against the budget? Do they want to keep their political subsidies?

I looked at the budget fairly closely. It is closing tax loopholes. Are the NDP not against tax loopholes?

Therefore, it comes down to one thing: self-preservation. Can they do the job? Can they go out and actually convince Canadians to support their parties? Is that why they are voting against this budget? Again, it cannot be any of the other issues.

In closing, on May 2, as well as during and before the campaign, I talked to a lot of constituents in the riding of Prince Albert. I listened very closely to what they wanted me to do. One thing was very clear: they wanted respect for their tax dollars. They wanted proper representation in Ottawa. They wanted to see the bickering end. They wanted to see politicians work together when things made sense, and this budget makes a lot of sense. They expect us to work together.

Let us pass this budget and get it done.

• (1810)

[Translation]

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I listened carefully to the hon. member's speech.

I must confess, we agree on one thing. Like him, I do not like to see taxpayers' money wasted. Unfortunately, on everything else we part company.

I remember when this government introduced the public transit tax measure a few years ago. I was angry to see that it was passed because, with this measure—and I have not had a car for almost three years—I was unable to buy a new bus or hire a single new driver to improve the public transit system in Quebec City.

I think that this measure, like the measures for sport and culture, is funny money to pacify people while billions of dollars in tax breaks are given to large corporations that have created an artificial deficit.

How can the hon. member justify, without laughing, the fact that he is giving only crumbs, very small amounts each month to help families?

[English]

**Mr. Randy Hoback:** Mr. Speaker, I thank the colleague for his question. He is a new member, so I understand that he is still learning about the process that goes into making the budget and the budget document and the consultation that goes on through the process and how we talk to Canadians.

We go and talk to different members of the industry right across Canada, not just here in Ottawa. We do not stay here in Ottawa when we do finance budget preparations; we go right across Canada, right from Newfoundland to Victoria and up into the Northwest Territories and Yukon. We talk to Canadians about what they want to see, and that is what they see in the budget.

I suppose what scares the opposition parties is that we are doing what we promised. Heaven forbid, the Liberals never did that. Now they are faced with a Conservative government that is going to do what it promised; since they do not know how to handle it, they will vote against it, and that is what they are doing.

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, I was interested in the comments of my colleague with respect to the gas tax. He went on at some length about how the gas tax is now a guaranteed amount. In actual fact, this budget has capped the gas tax transfer to municipalities.

What I found interesting was how he put it into a conversation. The conversation was, "Oh, we're not going to balance the budget on the backs of municipalities". I just wonder about the conversation he had with veterans, considering that \$226 million is being cut out of the Veterans Affairs budget and hundreds of jobs are being lost. If that was the conversation with municipalities, let us hear about the conversation with veterans.

**Mr. Randy Hoback:** Mr. Speaker, I find it pretty shameful that the member would be playing partisan politics on the backs of veterans. He knows it is not a cut. He knows that that is just a change in how the process works.

Let me continue with the conversation I had with the mayor at that point in time. He was very nervous when we talked about deficit reduction, because he had experienced what the Liberals did. He experienced having to make those tough decisions on transportation. He experienced how he had to go forward and cut his staff and cut his services. He experienced that.

Under the Liberal government, the provincial governments also experienced it when they cut the number of doctors and hospital beds. My family experienced it also. When my mother was sick with cancer, she experienced those cuts and did that two-hour drive to Saskatoon.

We just said we are not going to do that. That is why he should get behind it.

• (1815)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I would like to ask my hon. friend, the member of Parliament for Prince Albert, to explain something to me. I have asked this question before of government members and I have to admit, with all due respect, that I have not had a satisfactory answer.



*Government Orders*

The Conservatives have said to us in the opposition benches that somehow we do not go out there and ask our supporters for support and that we do not go out there and put forward what our policies are. Speaking on behalf of the Green Party, we do, and we raise money from our supporters, but that money is easier to raise because there are very generous tax rebates, and they have benefited primarily the Conservative Party. I do not see the Conservative Party showing any interest in removing the very generous tax rebates that come from the people of Canada for the donations they receive.

I would like a response to why Bill C-13 goes after the smallest of the amounts of taxpayer subsidies to political parties and leaves aside the elephants in the room, the rebates on political party spending and donations.

**Mr. Randy Hoback:** Mr. Speaker, the rebate is something that has been a part of it. In the American system, a congressman or a senator can raise millions of dollars from whomever they want, with no accountability back to the taxpayer. I would rather take our system, which limits what we can donate. We get a tax receipt for contributing, for participating in the political process. I think it is a far fairer and safer system.

It is fair for every party. It is not just the Conservative Party that benefits from the system in place here. If the member raises funds and gets people to donate, her people will still get that tax receipt. That is the reality we are facing right now.

[Translation]

**The Acting Speaker (Mr. Bruce Stanton):** It being 6:15 p.m., pursuant to order made Wednesday, November 16, 2011, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the third reading stage of the bill now before the House.

**The Acting Speaker (Mr. Bruce Stanton):** The question is on the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** Call in the members.

● (1840)

(The House divided on the motion, which was agreed to on the following division:)

*(Division No. 62)*

## YEAS

## Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Bateman	Benoit
Bernier	Bezan
Blaney	Block
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Daniel
Davidson	Dechert
Del Mastro	Devolin
Dreesen	Duncan (Vancouver Island North)
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Fletcher	Galipeau
Gallant	Glover
Goguen	Goldring
Goodyear	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Illyllyer	Hoback
Hoepfner	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauson	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunnay	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menzies	Merrifield
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	O'Neill Gordon
Oda	Oliver
Opitz	Paradis
Payne	Poilievre
Preston	Raït
Rajotte	Rathgeber
Reid	Rempel
Richards	Richardson
Rickford	Ritz
Schellenberger	Seeback
Shea	Shipley
Shory	Smith
Sopuck	Sorenson
Stanton	Storseth
Strahl	Sweet
Tilson	Toet
Trost	Trottier
Truppe	Tweed
Uppal	Valcourt
Van Kesteren	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Sky Country)	
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Yelich
Young (Oakville)	Young (Vancouver South)

Zimmer— 153

## NAYS

## Members

Allen (Welland)	Andrews
Angus	Ashton
Atamanenko	Aubin
Ayala	Bélanger
Bellavance	Bennett
Benskin	Bevington
Blanchette	Blanchette-Lamothe
Boivin	Borg
Boulerice	Boutin-Sweet
Brahmi	Brisson
Brosseau	Byrne
Caron	Casey
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Cleary	Comartin
Côté	Cotler
Crowder	Cullen
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Etobicoke North)
Duncan (Edmonton—Strathcona)	Dussault
Easter	Eyking
Foote	Fortin
Freeman	Fry
Garnica	Garrison
Genest	Genest-Jourdain
Giguère	Godin
Goodale	Gravelle
Grogan	Harris (Scarborough Southwest)
Harris (St. John's East)	Hsu
Hughes	Hyer
Jacob	Julian
Kellway	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (LaSalle—Émard)
Leslie	Liu
MacAulay	Mai
Marston	Martin
Masse	Mathysen
May	McCallum
McGuinity	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Mulcair	Murray
Nantel	Nicholls
Nunez-Melo	Pacetti
Papillon	Patry
Péclet	Perreault
Pilon	Plamondon
Quach	Rafferty
Ravignat	Raynault
Rousseau	Sandhu
Savoie	Scarpaleggia
Sellah	Simms (Bonaville—Gander—Grand Falls—Wind-
Sor)	
Sitsabaiesan	St-Denis
Stewart	Stoffler
Sullivan	Thibault
Toone	Tremblay
Trudeau	Turnell
Valeriote— 127	

## PAIRED

Nil

**The Speaker:** I declare the motion carried.  
(Bill read the third time and passed)

● (1845)

**The Acting Speaker (Mr. Bruce Stanton):** Order. I ask hon. members who are not staying for the adjournment debate to continue their conversations outside the House.

## Adjournment Proceedings

## ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[Translation]

## PERSONAL DEBT

**Mr. Tarik Brahmi (Saint-Jean, NDP):** Mr. Speaker, on June 9, I asked the government to introduce concrete measures to protect families and consumers. I pointed out that, since 2004, personal debt in Canada has increased by 40% and is at an all-time high. In Quebec alone, between 15% and 20% of credit card holders cannot make even the minimum payment. Families are finding it increasingly difficult to make ends meet. The government must help them.

What was the finance minister's response at the time? He lauded the code of conduct for the credit and debit card industry. The finance minister replied that this infamous code of conduct, and I quote, "is working". I would like to know how this code of conduct is working and how that success was measured. I am very curious to hear the parliamentary secretary's response.

The government is proposing to improve Canadians' basic knowledge, but by doing so, it becomes clear that the government is laying the blame on Canadian families and suggesting that they are not capable of managing their credit cards when, in reality, the credit card companies are making outrageous profits.

● (1850)

[English]

Just this morning there was a statement in the *Globe and Mail* which summed this up very well:

Looking to financial literacy to fill the void is like asking ordinary Canadians to be their own brain surgeon and airline pilots.

[Translation]

It is not me or the NDP saying that. It was the *Globe and Mail*.

[English]

Education is something that would be helpful if we did not have a system that held Canadians hostage. It is a step that puts the blame on Canadian families and does not look to the obstacle, ignorance in the system, an obstacle which families on their own cannot solve. This is where the government is expected to stand up for Canadian families, but it is not doing anything concrete.

[Translation]

This government program is not a program. It is just a set of good intentions. There is no way to assess the impacts and benefits.



*Adjournment Proceedings*

What concrete suggestions has the NDP made? First, the NDP suggested capping credit card interest rates at prime plus 5%. The prime rate is currently 3%, so the interest rate on credit cards would be 8%. Second, we suggested banning excessive charges on credit cards, payday loans, store cards and all other forms of consumer credit. Third, we want to require lenders to disclose the real cost of credit cards and other types of loans so it is easier for consumers to understand. Lastly, we suggested putting an end to unfair transaction charges for consumers and small businesses.

What Canadians want to hear is a practical list of things the government will do to protect them from the unlimited greed of credit granters.

[English]

**Ms. Eve Adams (Parliamentary Secretary to the Minister of Veterans Affairs, CPC):** Mr. Speaker, unlike the NDP, our Conservative government does not believe in punishing Canadian families who are trying to get ahead with higher taxes and reckless deficit spending that would hurt our economy and cost jobs.

The NDP has shown its pro-tax agenda by opposing our GST reductions, demanding \$10 billion a year in higher business taxes that would lead to job losses, and even asking for new taxes, like a tax on everyday financial transactions.

While the NDP is promoting its high tax agenda, our Conservative government is helping families with our low tax agenda that is saving the average Canadian family over \$3,000 a year.

We are also helping Canadian consumers, especially those who use financial services. Canadians use financial services products every day, whether it is by using their credit card, cashing a cheque, going to the bank, or signing a mortgage. Canadians deserve to be treated fairly when they use these products and to be provided with clear information before agreeing to use them.

[Translation]

For that reason, since 2006, our Conservative government has introduced key measures to address the concerns of consumers and to make financial services products more advantageous for consumers.

For example, our government has protected consumers with new credit card rules that require consent for credit limit increases, a minimum grace period of 21 days for new purchases, disclosure to the consumer and limits on commercial practices that are detrimental to the consumer; established a code of conduct for the credit and debit card industry to help small businesses fight unfair practices—the code promotes fairness, encourages choice and competition and will protect businesses against cost hikes; banned negative option billing for financial products; reduced the hold periods for cheques; made mortgage insurance more transparent, more understandable and more affordable through better disclosure and other measures; and established an independent working group responsible for making recommendations on financial literacy to help consumers make informed choices.

In the 2011 budget, our Conservative government is building on our achievements by implementing other measures to help consumers such as banning unsolicited credit card cheques, protecting consumers of prepaid cards, and moving forward with

the implementation of the recommendations of the task force on financial literacy, starting with the appointment of an official responsible for financial literacy in the government.

• (1855)

[English]

The question for the NDP is why it is opposing all of these pro-consumer initiatives and instead promoting a high tax agenda, even increasing the GST?

[Translation]

**Mr. Tarik Brahmi:** Mr. Speaker, as usual, the question was not answered. She answered the question for the government with a question for the NDP. What does the exorbitant interest rates on credit cards have to do with insidiously repeating that the NDP wants to increase taxes? The NDP does not want to increase taxes. I am talking specifically about the interest rate. It is a specific, targeted proposal: prime plus 5%. That is a concrete measure.

Why is the government answering concrete questions by accusing the NDP of wanting to increase taxes? That is a way of not answering the question. Again, I would like a specific answer to a specific question.

[English]

**Ms. Eve Adams:** Mr. Speaker, the NDP's suggestions are just irresponsible.

If we are here to talk about keeping money in the pockets of families, whether it is by providing consumer protection or by keeping their taxes low, it is the same thing. At the end of the day, there is more money in the pockets of Canadian families. Sadly, the NDP do not understand that. It wants to keep taxing our families.

The Conservative government has ensured that families have, on average, \$3,000 more in their pockets. It is that simple.

*Adjournment Proceedings*

As I mentioned earlier, our Conservative government has taken leadership with many pro-consumer initiatives, including sensible measures to help Canadians entering the housing market. We constantly monitor the housing market, ready to take prudent steps to ensure its continued stability. That is why we recently took prudent and sensible action to strengthen Canada's housing market by reducing the maximum mortgage period to 30 years, significantly reducing interest payments for Canadian families, lowering the maximum amount lenders can provide when refinancing mortgages to 85% and withdrawing taxpayer backing on home equity lines of credit provided by lenders. These were prudent moves that even the NDP member for Outremont, the then finance critic, called good ideas.

[Translation]

## HEALTH

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, last June, I asked the Minister of Health to explain why, in the last session of Parliament, she asked the Senate to review the 2004 accord when the Senate is an undemocratic institution that is not accountable to anyone. She could have asked the Standing Committee on Health, which is made up of elected members of Parliament who are accountable to Canadians, to conduct the review. The committee is an far more democratic institution and is committed to analyzing the investment of public funds.

Canadians have a right to know where their money is going, what is being done with it, if it is being used wisely and whether their investments are being monitored. The federal government has a duty to enforce the Canada Health Act, which includes the following five principles: accessibility, universality, portability, public administration and comprehensiveness.

The provinces had to meet targets and achieve results in order to respect the agreement between them and the federal government, so that the federal government would continue to invest 6%, as agreed to by the Minister of Health.

The targets were, for example, to reduce wait times in the emergency rooms, to increase the number of professional staff, doctors and nurses, and to improve home care. There was also the issue of providing more care in the north and improving public health management.

Such were the targets and there were 67 to 70 measurable indicators. Some eight years later, there is still no news on what has happened since 2004. As we prepare the new 2014 accord, we might want to know what improvements there have been, if any, and in what areas of health we have to increase our efforts.

Why did the Minister of Health not show more leadership? It was her decision to choose who would review this accord. Why did she choose the Senate? What does the government have to hide?

This totally lacks transparency, since we have no idea or indication what is being discussed. We have no access to the witnesses and experts who could provide us with information, as this belongs to the Senate.

Again, why was there no leadership on this issue and why was the mandate not given to a democratic institution, to the members of Parliament elected by the public?

• (1900)

[English]

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, health care is extremely important to Canadians and our health care system is something in which Canadians take pride. This government is committed to the Canada Health Act and the principles of universality, accessibility, portability, comprehensiveness and public administration it embodies. These principles represent a common vision for Canada's publicly funded health care system that ensures every Canadian has access to the hospital and medical services that he or she needs.

While health care is a shared responsibility in the country, the government recognizes provincial jurisdiction and the primary responsibility provinces and territories have for the administration and delivery of health care services. Provinces and territories are directly responsible for setting priorities, administering health care budgets and managing resources.

Since coming to office, this government has worked collaboratively with the provinces and territories to advance the objectives of the 2004 health accord. We have introduced new measures to reduce wait times, improve access to physicians and nurses and accelerate the implementation of electronic health records.

This government has also introduced further measures to support physicians and nurses in rural and remote communities, home and community care, cancer, mental health and the prevention of childhood obesity. We have done so in order to address the changing health needs of Canadians and to contribute to the real improvements in the health care system.

Parliament has a key role to play in taking stock of what has been accomplished through the health accord. Federal legislation mandated two parliamentary reviews of the accord, one in 2008 and the second in 2011.

In 2008 the House of Commons Standing Committee on Health carried out a parliamentary review focused on the federal commitments in the 2004 accord. The member is able to read that if she would look that up.

Last March, the Standing Senate Committee on Social Affairs, Science and Technology initiated the second review to examine the report on the progress in implementing the accord. If the member remembers in the last Parliament, the opposition actually had the majority, and in the House of Commons committee it was decided not to study this. The minister was mandated for the study and that is why it went to the Senate.

As that review was interrupted by the election, the committee resumed its work this fall. Like all members, I look forward to receiving the committee's report when the review has been completed.



*Adjournment Proceedings*

In the meantime, the Government of Canada's funding for health care is at an all time high. For example, this reflects the importance that Canadians place on the effective, efficient and responsive health care system. This also demonstrates the government's commitment to the health and well-being of Canadians.

As set out in the June 2011 budget, federal cash transfers to the provinces and territories through the Canada health transfer will amount to \$27 billion in 2011-2012. These investments provide growing and predictable financial support to enable provinces and territories to deliver high quality health care to Canadians.

Federal funding for health care through the Canada health transfer is legislated to grow 6% annually until 2013-14 and we are committed to extending this arrangement to 2015-16. There are still two more years before the end of the current health accord, which gives us time to give proper consideration to the changing health care needs of Canadians and ensuring the long-term sustainability of our health care system.

Strengthening Canada's capacity to protect and improve the health of Canadians is of the utmost importance to our government. We look forward to continuing this work with the provinces and territories on ways to help Canadians live healthier lives.

• (1905)

[Translation]

**Ms. Anne Minh-Thu Quach:** Mr. Speaker, I would like to thank the hon. member for answering my question and trying to shed some light on this. However, this is a new Parliament this year. The Minister of Health could still have decided to give the Standing Committee on Health the opportunity to review the targets and see whether they had been met, or she could have even created a new committee. It is important for people to know where to invest and where their money is going. This also would have allowed us to hear from witnesses to get an update on the current situation.

Of course, it is interesting to read a report, but the quality of the information is not the same as when expert witnesses come and give us the information and we can discuss the situation with them and ask them more specific questions. Certainly, it is important to get an update.

I will repeat my question. Could the minister not have given the authority to a democratic institution?

[English]

**Mr. Colin Carrie:** Mr. Speaker, I would like to reiterate for my colleague that the Speaker of the House has ruled many times that committees are responsible for determining their own proceedings. It is not the Department of Health that tells a committee what to do.

The Government of Canada recognizes that Canadians expect their health care system to be there when they and their families need it most. Canadians want to see their governments working together to ensure that their publicly funded health care system will deliver the high quality services that Canadians expect.

In order to meet the expectations of Canadians, this government is committed to implementing the 2004 accord by providing \$41.3 billion over 10 years in additional funding through the Canada health transfer. This funding will support provincial and territorial health

care delivery in the priority areas identified in the accord, and our commitment to the health accord comes with the commitment to the review process.

The Senate Standing Committee on Social Affairs, Science and Technology is currently conducting a review of the 2004 health accord. It has been diligently examining progress across the priority areas. I, like all members, look forward to the committee's report when it has completed its review.

As I said earlier, the Speaker has ruled that committees are responsible for determining their own proceedings.

We look forward to any work that is being done and to inform Canadians about these important—

**The Acting Speaker (Mr. Bruce Stanton):** Order. We will move forward to the next question. The hon. member for Etobicoke North

## THE ENVIRONMENT

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, the ozone layer protects us from harmful ultraviolet or UV radiation from the sun. This radiation causes skin cancer, cataracts, sunburns, and local and whole body immunosuppression. Without the ozone layer, life as we know it would not exist on earth.

It was therefore disturbing that an Antarctic ozone hole was discovered in 1985. Ozone destroying CFC refrigerants were identified as the cause. Remarkably, only two years after the discovery, these chemicals were banned under the Montreal protocol, for which Canada took a leadership role.

The protocol was ratified by 196 countries. Former UN Secretary General Kofi Annan said, "Perhaps the single most successful international agreement to date has been the Montreal protocol". A global agreement is possible when countries enter negotiations in good faith and carefully consider what we have learned from science.

Following the signing of the Montreal protocol, CFC levels in the atmosphere have decreased and global deterioration of the ozone layer has generally slowed. In fact, it is expected that the ozone layer should recover some time between 2020 and 2050.

Having said that, surprises are possible, as demonstrated this spring when a 2,000,000 km<sup>2</sup> ozone hole was discovered over the Arctic. Because surprises are possible and because new chemicals and climate change might affect the ozone layer, we must be vigilant in monitoring our life-giving atmosphere.

Studies show that without elimination of CFCs, most of the ozone layer would have been destroyed by 2065. DNA-damaging UVs would have increased by 550%, leading to large increases of skin cancer.

*Adjournment Proceedings*

Canada recently participated in the eighth meeting of the ozone research managers of the parties to the Vienna convention for the protection of the ozone layer in May 2011. There were no indications in Canada's presentation that the Minister of the Environment was planning to effectively wipe out Environment Canada's ozone group and severely curtail ozone monitoring activities.

What is also notable is that the presentation has a slide titled "An Arctic ozone hole", meaning that Environment Canada was aware of severe ozone depletion in the Arctic well before the government began to announce its cuts to ozone monitoring and science in June. This is a shocking revelation. The document also said:

Balloonsonde networks provide critical high-resolution vertical profiles of ozone, water vapour, and temperature, and need to be maintained and expanded, since such data are critical to understanding the interactions between atmospheric composition and a changing climate.

The operative words "Agreed to by Canada", indicate that ozones are critical. How is it possible that we are now considering optimizing and streamlining the ozonesonde network, which everyone understands is code for cuts?

A government brief titled "Ozone monitoring cuts" has now surfaced. Will the government clearly say what is being cut from the ozone program, or preferably rescind workplace adjustment letters to Environment Canada scientists, so they can continue research that protects the health and safety of Canadians?

● (1910)

**Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC):** Mr. Speaker, as I have assured my colleague numerous times in recent weeks, Environment Canada will continue to monitor the ozone. The World Ozone and Ultraviolet Radiation Data Centre will continue to deliver world-

class services. Canada's excellent track record of providing ozone monitoring data will continue, as will our ongoing work to take concrete action to protect Canada's environment.

**Ms. Kirsty Duncan:** Mr. Speaker, this is not good enough.

A government brief titled "Ozone monitoring cuts" has now surfaced. We have heard time and again that the World Ozone and Ultraviolet Radiation Data Centre is not being cut, nor apparently are ozone services. These claims fly in the face of the facts that the data centre's manager's position is in jeopardy, as are the positions of Environment Canada scientists who discovered the Arctic ozone hole.

A government brief entitled "Ozone monitoring cuts" has been uncovered. Canadians expect transparency from their government. The government has an obligation to say what actually is being cut or, better yet, declare that there will be no cuts to ozone monitoring or science.

● (1915)

**Ms. Michelle Rempel:** Mr. Speaker, as I said earlier and in numerous other responses to this question, Environment Canada will continue to monitor the ozone. We will continue to be wise stewards of taxpayer funds and take concrete action to protect Canada's environment.

**The Acting Speaker (Mr. Bruce Stanton):** The motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:15 p.m.)





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HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA



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OFFICIAL REPORT  
(HANSARD)

**Tuesday, November 22, 2011**

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**Speaker: The Honourable Andrew Scheer**



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(Table of Contents appears at back of this issue.)

# HOUSE OF COMMONS

Tuesday, November 22, 2011

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

● (1005)

[English]

### AUDITOR GENERAL

**The Speaker:** I have the honour to lay upon the table the fall 2011 report of the Auditor General of Canada.

Pursuant to Standing Order 108(3)((g) this document is deemed to have been permanently referred to the Standing Committee on Public Accounts.

\* \* \*

### CITIZEN'S ARREST AND SELF-DEFENCE ACT

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC)** moved for leave to introduce Bill C-26, An Act to amend the Criminal Code (citizen's arrest and the defences of property and persons).

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

### INTERPARLIAMENTARY DELEGATIONS

**Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC):** Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present to the House, in both official languages, the report of the Canadian delegation of the Commonwealth Parliamentary Association respecting three reports: first, the bilateral visit to the Caribbean, the Americas and the Atlantic Region Republic of Trinidad and Tobago; second, its participation at the parliamentary seminar for the Republic of Trinidad and Tobago; and third, its participation at the 35th Commonwealth Parliamentary Association Regional Conference of the Caribbean and the Americas and the Atlantic.

## COMMITTEES OF THE HOUSE

### HEALTH

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the second report of the Standing Committee on Health entitled, “Supplementary Estimates (B), 2011-12”.

\* \* \*

### PETITIONS

#### CHILD CARE

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, I have two petitions to present to the House today.

The first petition is with respect to child care. It indicates that child care is often not accessible or affordable for Canadian families and is often of an uncertain quality for young children.

The petitioners call upon the government to legislate the right to universal access to child care and provide multi-year funding to provincial and territorial governments to build a national system of affordable, high quality public and not-for-profit early childhood education and care accessible to all children.

The petitioners point out that the federal government must establish spending criteria and reporting mechanisms that ensure accountability for how the provinces and territories use federal funding to ensure quality, accessibility, universality and accountability, and that acknowledges Quebec's right to develop social programs with adequate compensation from the federal government.

#### ABORIGINAL AFFAIRS

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, the second petition deals with the Sisters in Spirit.

The petitioners call upon the government to ensure that finances are available for the Sisters in Spirit and the Evidence for Action campaign that is involved with the Native Women's Association of Canada.

\* \* \*

### QUESTIONS ON THE ORDER PAPER

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I ask that all questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.



*Government Orders***GOVERNMENT ORDERS***[Translation]***SENATE REFORM ACT**

The House resumed from November 14 consideration of the motion that Bill C-7, An Act respecting the selection of senators and amending the Constitution Act, 1867 in respect of Senate term limits, be read the second time and referred to a committee.

**Mr. François Pilon (Laval—Les Îles, NDP):** Mr. Speaker, I rise today to speak to Bill C-7, An Act respecting the selection of senators and amending the Constitution Act, 1867 in respect of Senate term limits.

This bill would limit the terms of senators appointed after October 14, 2008, to a maximum of nine years. Furthermore, under this bill, the provinces and territories would have the opportunity to hold elections, at their own expense, to determine the names that would be given to the Prime Minister for consideration. The problem is that the Prime Minister would not be required to choose senators from this list. This is yet another wonderful example of a waste of public money by our friends on the other side of the House.

What is more, if a nominee is not appointed to the Senate by the sixth anniversary of that person's election, a new election would be necessary, resulting in even more public money being wasted. It is fun to spend someone else's money, is it not?

What we are proposing on this side of the House is clear. Our party wants to abolish the Senate, which is a position we have always held. We are calling on the government to hold a referendum asking the Canadian public whether they are in favour of abolishing the Senate.

In addition, when this bill was introduced for the first time in June 2011, the Conservative senators clearly said that they would oppose all attempts by the federal government to limit their terms. And they are the ones who have the last word, as always.

The Premier of Ontario, Dalton McGuinty, and the Premier of Nova Scotia have publicly expressed their support for abolishing the Senate. The Premier of British Columbia, Christy Clark, has said that the Senate, as an institution, no longer serves any useful purpose within our Confederation. The Government of Quebec has deemed this bill to be unconstitutional. In fact, it has stated that it will go to court if the provinces are not consulted before Bill C-7 is passed. Clearly, passing this bill without consulting the provinces would once again demonstrate the federal government's willingness to impose its views on the provinces, as it has so often done in the past few months.

Now, why are we in favour of abolishing the Senate rather than reforming it? First, there has not been an upper chamber in any of the provinces since 1968 and their legislative systems have not crumbled as a result. On the contrary, all the provinces are operating very well without a senate.

Second, the idea to reform the Senate is not a new one. Since 1900, there have been no fewer than 13 attempts to reform the Canadian Senate, with a brilliant success rate of 0 out of 13. And no wonder, since the Senate always has the last word.

Third, Canadians' interest in this issue is growing. In fact, according to a survey conducted by Angus Reid in July 2011, 71% of Canadians were in favour of holding a referendum about the future of the Senate. The same survey found that 36% of Canadians are in favour of completely abolishing the Senate, which is a sharp jump of 25% as compared to 2010. We therefore feel that Canadians must be consulted on this issue since the Senate is their democratic institution and, as a result, they are the ones who have the right to decide what will happen to the upper chamber.

This bill has some serious shortcomings in terms of legitimacy. First, according to the provisions of the bill, senators will still not be accountable to Canadians.

• (1010)

The fact that senators will only be granted one nine-year term means that they will never have to answer to the public for decisions made during their term. In addition, they will have the right to a pension when they leave the Senate, paid for, of course, by the taxpayers.

Second, passing this bill would create a strange situation in the upper chamber. Certain senators would be elected and others not, so how would the unelected senators justify their legitimacy and actions to their elected colleagues?

Third, as I mentioned earlier in my speech, the government has not consulted the provincial governments about the provisions in this bill. Neither has it consulted the public, and only 39% of people voted for the Conservatives on May 2. Despite all this, those on the other side of the House are once again dumping the cost and responsibility on the provincial governments and taking all the credit.

Finally, since the Senate would have roughly the same powers as the House of Commons, an elected Senate would have more legitimacy in terms of tabling bills or opposing House bills. That could paralyze the political system, as is the case in the United States, where the House of Representatives and the Senate are often locked in a power struggle that completely paralyzes the American government.

That summarizes a few of the arguments proving that Senate reform, as proposed by the Conservatives, is problematic and that the solution is to abolish the Senate.

To conclude, we have seen over the course of the past few minutes how passing Bill C-7 would create a significant number of problems in our political system, and these problems could easily be eliminated by abolishing Canada's Senate.

I invite the hon. members to join with me and the members of the official opposition and vote against Bill C-7.

• (1015)

**Mr. Claude Gravelle (Nickel Belt, NDP):** Madam Speaker, I wish to congratulate my hon. colleague from Laval—Les Îles on his speech on the bill. I have a simple question for him.

*Government Orders*

The Prime Minister is under no obligation to appoint someone who has been elected by a province or territory. This bill therefore does not change how senators are appointed, since the Prime Minister is still free to choose whomever he wants to appoint to the position of senator.

In the member's opinion, if the Prime Minister can do whatever he likes when it comes to appointing senators, does this bill change anything?

**Mr. François Pilon:** Madam Speaker, I thank my hon. colleague from Nickel Belt for the question.

Clearly, reforming the Senate was likely one of the Conservatives' election promises. For months now, they have been harping on about how they want to keep their promises. However, as it stands, this Senate reform allows the government to change nothing. Tomorrow morning, it could choose not to appoint someone who was elected and give all the Senate appointments to its buddies, as it does now. This changes absolutely nothing, if that is what the Prime Minister wants to do.

[English]

**Mr. Brad Butt (Mississauga—Streetsville, CPC):** Madam Speaker, I am having some difficulty understanding what the official position is of the NDP with respect to the Senate. I believe that its position is that it wants to abolish the Senate.

Does the NDP believe that we should reopen the Constitution and that the Prime Minister and the premier should sit down and find out if there is enough will within the country to abolish the Senate? I do not believe it is the position of the Government of Quebec that the Senate be abolished.

Is that the position of the NDP, that we should reopen the Constitution and have a national debate over whether we should kill the Senate?

[Translation]

**Mr. François Pilon:** Madam Speaker, as I said in my speech, the first thing we need to do is hold a referendum to see what Canadians think.

If we do not want to reopen the Constitution, we can simply stop appointing senators. That way, the Senate would gradually disappear on its own, without our having to reopen the Constitution.

**Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP):** Madam Speaker, we are talking about the future of and major plans for our democracy, such as the number of seats in this House, for instance.

Altogether, we will have debated this bill for a few weeks. I would like to know what my colleague thinks of the practice of reducing the number of people giving their opinions, both within Parliament and outside these walls. I wonder if my colleague could elaborate on this.

**Mr. François Pilon:** Madam Speaker, I want to thank the hon. member for his question.

It has been clear since our return in September that the government wants to limit our interventions in order to make the public less and less aware of what goes on here. That is truly its intention.

• (1020)

[English]

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Madam Speaker, my question is about the difference between provincial legislatures and Parliament.

Within provinces, there is much less diversity than across the country. It seems to me that the country needs a chamber that can balance the interests and the powers of different regions. The Senate, to me, is the place where there can be a little bit more balance.

I think that is why Quebec is not necessarily in favour of abolishing the Senate, and I wonder if my hon. colleague would comment on that.

[Translation]

**Mr. François Pilon:** Madam Speaker, I want to thank the hon. member for his question.

Indeed, under normal circumstances that is how it should be, but we know that during the last Parliament, the Conservatives used that to pass bills here and then once the bills got to the Senate, they just lingered there until the election.

There are so many things in limbo in the Senate right now that it has really become ineffective.

**Mr. Denis Blanchette (Louis-Hébert, NDP):** Madam Speaker, I am pleased to rise today to speak to Bill C-7.

When we speak to a bill, we often have to look at where we are coming from to see where we want to go. To begin, I would like to look at where the government is coming from in introducing this bill. It seems to be gambling on the fact that it can change the way the lists are organized without touching the Constitution. There is nothing to say that things will work out that way or that the provinces will accept this. There could very well be a significant legal deficit from the get-go.

What is more, the government wants to perpetuate partisanship in the Senate. It is already not fulfilling its role, and now the government wants to make partisan electoral lists. I am not convinced that the Senate could provide a counterbalance to the House of Commons for the regions in that case.

It is important to underscore that this bill is very mechanical, in that the vast majority of the clauses tell the provinces how to hold an election to create a list of people who could potentially be appointed to the Senate. The government is shifting the rather high cost of all this to the provinces. What is more, the Prime Minister might suggest names to be included on the list.

In this regard, I would like to point out something that is unique to Quebec. There are electoral divisions for senators, of which there is no mention. In other words, in a province such as Quebec, there would have to be elections in 24 districts in order to comply with the current Constitution, whereas elsewhere elections would be held at the provincial level. This would be more expensive for Quebec and evidently no one is footing the bill. That is also an important point.



*Government Orders*

We should note that Senate elections could take place at the same time as municipal or provincial elections. I am not sure that this is necessarily a good thing. For example, in 2008, when I was campaigning federally, a provincial byelection was also being held in one part of my riding. Quite simply, in this part of the riding, people did not know if they were dealing with a candidate for a provincial or a federal election. I am not sure that democracy will be well served by adding a Senate election.

These are just some of my thoughts, but I would like to take a step back.

The history of the Senate is rather special. The Senate as we know it in Canada is a hybrid of the British House of Lords, with its unelected senators appointed by the Governor General upon the recommendation of the Prime Minister, and the U.S. Senate, with its equitable representation of all regions. This means that our Senate is unique and that there are not many like it.

The groundwork for the Senate as we know it was laid at the Charlottetown Conference and especially at the Quebec Conference held in October 1864. Six of the 14 days of the Quebec Conference were spent on the concept of the Senate. There were debates. Even back then there were discussions about an elected Senate versus an unelected Senate. There is nothing new today; we are rehashing past arguments. The Fathers of Confederation chose an unelected Senate. They had their reasons.

• (1025)

All that we can say about that is that our current Senate was not created with much enthusiasm. I would like to read a description of senators and the Senate.

Senators are appointed by the Governor General on the recommendation of the Prime Minister. [Everyone knows that.] Senators represent regions and provinces in order to balance the representation in the House of Commons. Less populated regions have a stronger voice in the Senate so as to ensure representation for regional and minority interests.

That is the goal. But in reality, we have never seen that. What we have seen is partisan appointment after partisan appointment, to the point where we have never seen the Senate play the role it was meant to have, which is to defend the interests of the regions. Instead, it is a chamber that may or may not support a government, depending on what party holds the majority in the Senate. The upper chamber has become nothing but a partisan stronghold. The Conservatives did indirectly what they could not do directly when, in past parliaments, they defeated certain bills that were passed here but did not pass in the Senate for partisan reasons. The Senate should be thought of as the upper chamber, a chamber of sober second thought, but instead it is a purely partisan chamber. And so we are left to wonder what we are doing with an institution that does not fulfill its role and that, in fact, has rarely fulfilled it.

I would like to address an important point. Suppose this bill is passed. We would then have two chambers made up of elected members. Would we then have a competition? Since everyone would be legitimately elected, would there be competition between the two chambers, something like what we see in the United States where the system becomes paralyzed when the majorities are not the same in both chambers? Is that what we are heading for? Are we headed for an American-style Senate that could, in some cases, paralyze the

work of the House of Commons and the running of the country as we see south of the border? This is a very important question to consider.

The other thing that concerns me about this issue is that the talk always focuses on the people who would be elected. There is never any mention of how many positions or who or when. Might this result in a power struggle between the government and various provinces? For example, suppose a given province decided to hold an election and presented fewer people than the number of positions to be filled or just enough people. What happens in that situation? There might then be a power struggle between the Prime Minister—or the Governor General, obviously—and the provinces. We would once again be back to a model that creates tension between the various levels of government. I do not think our objective here in this House is to create new kinds of tension between the various levels of government. I do not think we want to go in that direction.

I would like to discuss the historic position of the Government of Quebec in a bit more detail, and I would like to begin by quoting one of the Fathers of Confederation, George Brown. He said:

Our Lower Canadian friends [he is talking here about Quebec] have agreed to give us representation by population in the Lower House, on the express condition that they would have equality in the Upper House. On no other condition could we have advanced a step.

• (1030)

Even before 1867, there was tension between what was then Lower Canada and the other groups in the federation. Quebec insists on the assurance that any changes are constitutional and not partisan.

I would like to continue, but I see that my time is up.

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Madam Speaker, if we were to reform the Senate, if the Senate were less partisan, if senators were appointed by provincial premiers, if the seats were attributed by region and political party, would by colleague still be in favour of abolishing the Senate?

**Mr. Denis Blanchette:** Madam Speaker, I thank my colleague for his very interesting question. History has shown us that when appointments are made by small groups, when we give the party in power the choice to make appointments, all successive governments—both Liberal and Conservative—have made strictly partisan appointments. If we give governments permission to make partisan appointments, the Senate can certainly not fulfill its role. So I do not have much faith in this hypothesis.

**Mr. Claude Gravelle (Nickel Belt, NDP):** Madam Speaker, I would like to congratulate the hon. member for Louis-Hébert on his speech on this bill. We must not forget that the Liberals and the Conservatives have always appointed Liberal or Conservative senators to raise money for their parties. They have appointed candidates who were defeated in elections: candidates whom Canadians did not want as representatives. The government then appointed them to the Senate to raise money for its own party. Their expenses are paid by Canadians. I would like my colleague to comment on the fact that senators are appointed to raise money for the Conservative and Liberal parties.

*Government Orders*

**Mr. Denis Blanchette:** Madam Speaker, my colleague has raised a very important problem. It shows that we have hit rock bottom. “Rock bottom” is my polite way of sharing how I feel about partisan appointments. The fathers of Confederation wanted a chamber of sober second thought, a chamber of people who could reflect and serve as a sort of counterbalance. Those were great principles. However, in reality, as time passes we get further and further away from these principles and it all becomes shamelessly partisan. It is completely unacceptable.

● (1035)

**Ms. Joyce Murray (Vancouver Quadra, Lib.):** Madam Speaker, I would like to ask the hon. NDP member a question about equity within Parliament. Former Liberal prime ministers have had to appoint senators in order to have a more equitable Parliament, that is, one with more women in the Senate. Unfortunately, the current Prime Minister's senate appointments have reduced the proportion of female senators.

Does my colleague not see having more women representing Canadians as one of the values of the Senate?

**Mr. Denis Blanchette:** Madam Speaker, I thank my colleague for her question, because it gives me a chance to correct something. As I said, the Senate was initially supposed to represent the regions, but it was also supposed to represent minorities. The hon. member points out another problem with the upper house: groups that are generally under-represented are even more so in the Senate. This is just further proof that the Senate is no longer fulfilling its role.

**Mr. José Nunez-Melo (Laval, NDP):** Madam Speaker, I am very proud to rise here today to speak to Bill C-7. I would also like to recognize the speeches, questions and all the comments made by the hon. members for Laval—Les Îles, Nickel Belt and Louis-Hébert. I would also like to draw attention to the efforts of the hon. member for Mississauga—Streetsville. He has made a remarkable effort to evade the issue we are debating here today in the House, by asking an unrelated question regarding what the NDP has always proposed and maintained regarding abolishing the Senate, that is, that the government should hold a referendum on the matter.

I will summarize what the bill is proposing. It proposes limiting Senate terms to nine years, especially for senators appointed after October 14, 2008. Nonetheless, if a senator cannot carry out his or her term for nine continuous years, the term is interrupted and the person may be summoned again for a period equivalent to nine years less the portion of the term already served. That is quite something.

The provinces and territories would have the opportunity to hold elections, at their own expense. Nonetheless, the Prime Minister is in no way obligated to appoint a person who has been elected. There is an inconsistency there. Further in the bill it says that if the elected senator is not appointed within six years, the time expires and new elections have to be held. This will result in a duplication of the cost. That is rather inconsistent.

In the backgrounder we see that this is the third time the Conservatives have tried to introduce this bill. During the previous sessions, heated debates were held on this subject and then prorogation or dissolution of the House killed the bill.

We want to reaffirm that the official opposition proposes completely abolishing the Senate. We know full well that since

1968 most of the provinces have abolished their upper houses and things work very well without them. We also know that, in the current context and with the system already in place, the House of Commons, with elected members of Parliament, can manage the work quite well. It can create legislation in Canada that is truly representative of all citizens, in every riding, who elect the MPs.

We all know the origin of the Senate. What was its purpose at the time it was created? As the hon. member for Louis-Hébert explained, we know it is a legacy of the English crown.

● (1040)

In addition, I have here some of the Prime Minister's comments. He said that it is a relic of the 19th century or something to that effect. Reforming the Senate in order to elect senators does not make sense.

If the government really wanted to reform and keep the Senate or upper house, the parties would be prepared to support him provided that he holds a public referendum on this matter. Polls have been conducted. It is not official, but we already know that 71% of Canadians want a referendum. We often hear the hon. Conservative members say that they were given a strong mandate with 39% of the vote. If I had to compare, I would say that there is a big difference between 39% and 71%, which amounts to very strong support for a referendum.

In conclusion, I would like to again thank the hon. NDP opposition members. We will continue to fight to defeat this bill, to abolish the Senate or, in the worst case, to hold a public referendum to settle this matter. We have to be done with this.

[English]

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Madam Speaker, the member very ably outlined the concerns that New Democrats have with the legislation that is before us. The member referenced the need for public input on a decision that would radically change how we govern ourselves.

In previous Parliaments, what we have seen from the other place, for example, is the New Democrats' climate change accountability bill which was passed by the House of Commons was defeated in the Senate without any discussion, any debate, any calling of witnesses. This points to why we speak so firmly and loudly against the Senate.

On the issue of public consultation, could the member elaborate on why he thinks the Conservative government refuses to take this very important question to the public?



*Government Orders*

●(1045)

*[Translation]*

**Mr. José Nunez-Melo:** Madam Speaker, I thank the hon. member for her question. I was mainly referring to the minister of state who introduced this bill. The government's objective is somewhat illogical. It is proposing to reform a law that dates back to 1867 so that the appointment process for senators is kept secret. The Prime Minister would retain his right to veto an appointment or to make recommendations to the Governor General. This really is not the sign of a true democracy. That is what should be kept in mind in this chamber and even in the Senate.

**Mr. Marc-André Morin (Laurentides—Labelle, NDP):** Madam Speaker, I have been talking to my constituents about this issue. Everyone agrees that the Senate serves a purpose: it is used to recycle mediocre candidates who lose their election campaigns. The Senate is used to appoint extreme right-wing militants who insult defence lawyers. Everyone agrees that we should not talk too much for fear of waking them up.

There is something else that the government is missing. If we were to play the game, to recruit candidates for potential Senate elections and we were to come up with a list, what would the Prime Minister and the Governor General do? Would they appoint them? That is what I wonder.

**Mr. José Nunez-Melo:** Madam Speaker, I thank my hon. colleague for his eloquent comments.

In response to his comments about what his constituents think, I can say that my constituents are concerned about the same things. This poll seems to show that 71% of Canadians support holding a referendum because they do not really see the relevance of the current process for appointing senators.

As we have just heard, the purpose of the current process is to get partisan people to support bills and to find people who share their ideology—their “idiocracy”—and to support something that looks like a crooked political system.

We are still in favour of abolishing the Senate because this chamber of elected members here, as in the other provinces, would help Canada be the best country it can be.

●(1050)

*[English]*

**Mr. Mike Sullivan (York South—Weston, NDP):** Madam Speaker, I am pleased to enter into this debate on what is surely a relic of centuries gone by that has long since outlived its usefulness in this country.

I must also comment that the silence from the other side of this House is deafening. This is a government bill, yet only the official opposition seems to have anything to say about it. What does that tell us about where democracy is in this country?

Our comments are valuable and, in my opinion, are closer to the feelings of the Canadian public than is the bill. We believe the public generally does not wish the Senate to continue. Canadians do not believe, in our opinion, that the Senate serves a useful purpose. They believe it is merely a place for a government, as we have discovered in recent times, to undo the will of the elected people of Canada,

meaning the members here in this Parliament. We believe that if it were put to a vote, the result would be that the Senate should be abolished.

What should the government do? It should not propose this kind of legislation.

The Prime Minister has talked on a number of occasions about the uselessness of the Senate. However, if we want the true opinion of Canadians, we should take the true opinion of Canadians, and if we want to take the true opinion of Canadians, we should hold a referendum to determine exactly what Canadians feel belongs in the government. We believe that Canadians feel the Senate should be abolished.

If it is in fact not the will of the people that the Senate should be abolished, then reform is needed, but we do not do this kind of reform without consulting with the provinces. The provinces, Quebec in particular, have stated quite clearly that they need to be consulted on any kind of constitutional reform. Quebec, in fact, is threatening to take the government to court over the fact that it was not consulted. Other provinces have stated quite clearly that the Senate should be abolished.

In any event, no consultation took place. There was no consultation about the expense of elections, no consultation about the methods of electing senators, no consultation about the term limits. No consultation about any of this was taken with the provinces prior to the bill's coming before the House.

The law itself, as proposed by the government, states:

And whereas Parliament wishes to maintain the essential characteristics of the Senate within Canada's parliamentary democracy as a chamber of independent, sober second thought;

What does that mean?

First there is the word “independent”. It flies in the face of those very words to read the rest of the government's bill, which demands that if political parties exist, they nominate candidates; that is, candidates must be nominated by political parties.

“Independent” also would imply that the government already believes that an essential characteristic of the Senate is that it be independent. However, as we have experienced most recently, in a non-independent and very partisan way, the Senate has killed legislation that was passed by this House, so that is clearly not what is happening. It is very clear that the government does not propose that the Senate remain independent. Indeed, it is not independent today.

It has also killed climate change bills twice, again in a very partisan way, with the Conservatives voting against the rest. As well, it killed a bill to provide generic drugs to Africa, again in a very partisan way, so to say that it is independent flies in the face of what is actually happening.

Next is “sober second thought”. It implies that this House is not sober. I am offended by that suggestion, because we are not a House of drunkards or laggards. I think the Conservatives would be just as offended if that were the implication. We are, in fact, giving sober thought to everything we do. To suggest that we need somebody else to look over our shoulders and give it sober thought is an affront.

• (1055)

Finally, in terms of independence, we have one of the senators appointed by the government from the elected version of the Alberta government, Bert Brown, suggesting that:

Every senator in this caucus needs to decide where their loyalty should be and must be. The answer is simple; our loyalty is to the man who brought us here, the man who has wanted Senate reform since he entered politics, the Rt. Hon. [Prime Minister].

That clearly shows what the government intends with regard to independence: loyalty is to the Prime Minister, not to some sense of independence nor to the people who, if this bill were to pass, would elect those senators.

In the bill we also discover the creation of a real dog's breakfast of senators. There would be three levels of senators as a result of the bill. There will be senators appointed for life before the 40th Parliament elections; those senators will continue to be appointed for life, and for some of them life will be quite long. It could be 14, 15 or 16 years in some cases. Those senators will continue well beyond any elections and well beyond the term limits of elected senators.

Then there are the senators who were appointed since the last election. Those senators will serve an additional nine years. Some of them will leave before nine years because they will reach age 75, but others will continue for their full nine years. They would have their terms shortened as a result of this bill by an average of about 13 years. There are a whole lot of senators who thought they were there for a long time; as a result of this bill, they would be there for a much shorter period of time.

Then there are the senators who would be elected in the future. Those individuals would have terms of exactly nine years.

That is an incredible dog's breakfast. In Ontario, where I am from, the Ontario government could have an election for 20 senators. Because of the bill, unless those 20 senators were actually appointed by the government, some of them would expire before they were ever appointed. Then there would have to be another election, because their elections only last six years. Unless there were enough appointments to fill those elections, the dog's breakfast would continue.

Finally, I noticed that there is nothing in this bill concerning election financing. The government has made a few statements in the House about its wish to get the government out of financing elections; it feels that parties themselves should look after the financing of their members of Parliament and senators. However, this bill says nothing about it. Apparently the rules of the province or the municipality in which the election was to be held would determine whether election financing would be limited or whether unions or corporations would be allowed to donate to the campaigns of these senators. Depending on the province and the municipality, that could be large sums of money. Again, it flies in the face of what the government thinks is a reform of democracy.

On the accountability portion, there would no accountability. They would be elected for nine years, and they could not come back; therefore, no matter what they did in those nine years, they would have no accountability whatsoever to the electorate who put them there. That is not a democratic principle that we adhere to.

### *Government Orders*

Finally, the Prime Minister would not be obliged to appoint any individual. Should Ontario or any other province elect a bunch of senators, the Prime Minister would retain the power to say, "No thanks. I have friends I want to appoint."

• (1100)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Madam Speaker, on the one hand the NDP would allow the country to break up if a majority of Quebecers, 50% plus one, were to vote for separation, yet when a majority of Canadians see value in having the Senate, the NDP does not believe that Canada deserves keeping it. How does the member reconcile those two points?

**Mr. Mike Sullivan:** Madam Speaker, they are so different as to not require a discussion. Our point is that we believe that Canadians believe the Senate should be abolished. Our point is that if nothing else happens, there should at least be an opportunity for the people of Canada to give the government direction on exactly what should happen with the Senate. We believe that the people of Canada will tell the government that the Senate is no longer necessary, that it is a relic, and that it should not continue.

**Mr. Claude Gravelle (Nickel Belt, NDP):** Madam Speaker, my colleague from York South—Weston made a comment about sober second thought, meaning that maybe someone from the opposite side of the House thinks that we are all drunk here, but we are not.

A couple of weeks ago we had a motion in the House to ban asbestos. The Conservatives, even the good doctor over there, voted against all science that clearly indicates asbestos causes cancer. They voted against the Canadian Cancer Society, against doctors and against Canadians. They actually stood in the House and said that asbestos does not cause cancer.

Since my colleague mentioned sober second thought, does he think that members on the opposite side of the House were not sober when they voted against the motion to ban asbestos?

**Mr. Mike Sullivan:** Madam Speaker, the question of asbestos is a very troubling one in the House. A very dear friend of mine died of mesothelioma and very likely it was as a result of the inhalation of asbestos fibres in an old building where he worked. It is absolutely shocking that the government would continue the mining and the manufacture of asbestos products in this country for sale elsewhere knowing what it knows.

Were we not sober when we made that decision? We certainly were not thinking straight. But when the bill gets to the Senate, because it is not independent, sober second thought in the Senate, it is unlikely the Senate will overturn that decision by the government. That is why the Senate needs to be abolished.

[Translation]

**The Deputy Speaker:** The hon. member for Louis-Hébert has time for a very quick question.

**Mr. Denis Blanchette (Louis-Hébert, NDP):** Madam Speaker, I would like to come back to the part of my colleague's speech that had to do with financing these election campaigns, where nothing is clearly worded and the rules seem to be flexible.

I would like him to talk about the inequities there.



*Government Orders**[English]*

**Mr. Mike Sullivan:** Madam Speaker, absolutely. We have a situation where members of this chamber have strict limits on who can donate and the parties that we represent have very limited access to financing, made more limited still by the government's recent budget. And yet, for a senatorial election, the bill is silent except to say that generally speaking the rules of a provincial election, should the province choose to hold it in that fashion, or the rules of a municipal election should the municipality choose to hold it in that fashion, would apply. That presents huge inequities. The Senate elections could then have large donations from corporations, unions and individuals.

● (1105)

*[Translation]*

**Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP):** Madam Speaker, I am not necessarily pleased to take part in the debate on this legislation, because the government is trying to force it down our throat. We, on this side, simply want a real in-depth debate on this issue, but the other side wants to very quietly pass a bill dealing with the future of our country and of our parliamentary system. Our parliamentary system exists to discuss bills that will change our country, settle issues and bring solutions. Today, and in recent weeks, we have been presented with what seem primarily to be partisan tools for the party in office, while we on this side want to deal with issues.

Bill C-7 is about the Senate, the chamber of sober second thought. This makes me laugh because, historically, the Senate has never played that role. It has never done its job. Right now, they are trying to trade four quarters for a dollar. They want to change a Senate that does not do its job and whose members are appointed on a partisan basis. Under the new process, senators will still be appointed in a partisan fashion. An election will take place, but the candidates will have been selected in a partisan fashion.

Today's debate on the Senate gets me thinking more seriously about our democracy, our division of powers, our parliamentary system, our form of representation, our electoral practices, our media—which are part of our democracy—and about the Conservative government's attitude towards democracy.

I agree that we can choose the type of democracy that we want in Canada. Everyone agrees. This is a healthy debate and it is about our future. However, whose decision is it to make? Getting back to democracy, about one person in three voted for the current government. Do they all agree with the whole agenda proposed by the Conservative Party? For example, do they all support abolishing the firearms registry? Do they all support Senate reform? Do they all support the justice bill and all the other bills that were introduced recently with very short debates and closure?

What we are asking for regarding our democracy is that people be able to take part in this debate and express their concerns. This must be done through a referendum. Other countries have held referendums on important national issues. We should do the same.

As I was saying earlier, our Senate is there essentially to ensure there is some sort of division of powers, to ensure some representation of the regions and minorities in Parliament. None-

theless, this has never been the case and now the government does not want to do anything about it.

I want to come back to the division of powers. As far as our electoral practices are concerned, in addition to the related costs, if we ask our provinces to choose candidates for the Senate elections, we are simply transferring the partisan decision to the provinces instead of to the federal government, but it remains a partisan decision nonetheless. What is more, the Prime Minister in power when the elections are held and the nominees are chosen has the last word. In the end, nothing changes.

If we look at what happens in other countries where there are two chambers, we see that in the United States, it is a source of division that borders on chaos.

● (1110)

In the event that the two chambers do not agree, there will be constant obstruction and a host of strategies to defeat what the government is proposing in the other chamber, and even sometimes, for partisan reasons, to oppose certain bills, despite how much they matter to the entire country, simply because it was the other institution that introduced them.

In my opinion, this could happen here if the government goes ahead with this reform. We have to avoid that situation, especially considering there is going to be an election in the House of Commons every four or five years and in the Senate every nine years. The elections will therefore not be held at the same time and people will not necessarily vote for governments that are able to work together.

I have some examples. A constituent in my riding told me he voted for the Conservative Party in 2011 for one reason only and that was because he wanted to get rid of the firearms registry. The New Democratic Party wants to keep the registry. He then said that once that was done, since he is not in favour of any of the Conservative Party's other plans, he would vote for an intelligent government. He did not come right out and say it was our party, but he was not referring to the Conservative Party he voted for in 2011.

There are always going to be attitudes like that and we must not judge people for it. But if people vote for a party for one reason only and that creates situations where the parties cannot agree, it will always be a source of conflict and chaos in our parliamentary system.

On the question of the costs associated with this reform, we see that the plan is to transfer the costs of selecting nominees to the provinces. It talks about our democracy, our federal parliamentary system, but the plan is to transfer the costs to the provinces. To me, that is illogical and almost absurd. If we are not prepared to make changes to our parliamentary system and at the same time assume responsibility for the repercussions in terms of the cost, then let us find other solutions or let us not do it.

As well, a second chamber, which I think is pointless for the reasons I have stated, would also cost even more, because over a long period of time, more senators will have spent time in that chamber and more senators will be entitled to retire with a pension paid for by that chamber. Those are all costs associated with this reform.

*Government Orders*

The problem right now is that we have a government that is proposing something that it wants to slip past us. As I have often said, we are talking about the future. I would like the government to consider that we are talking about something quite important right now and that we have to do more than this; we have to ask the public whether they support it. There may be other methods, but there is one obvious one: a referendum. Every citizen could say what they think. Every citizen could say whether it is a good idea or not and there would be a thorough debate before the referendum on Senate reform was held.

In Canada, a majority of provinces have stated a position and agree with the NDP that this bill is absurd. For example, Dalton McGuinty, Premier of Ontario, and Darrell Dexter, Premier of Nova Scotia, have publicly called for the Senate to be abolished. The premier of British Columbia has said that the Senate plays no useful role in our Confederation. Manitoba has also maintained its position on abolishing the Senate, stating that it had a plan if it happened, but obviously, if it happens, there will be no choice but to live with that decision. So decisions about this have to be made.

• (1115)

Quebec has already called this bill unconstitutional. All Quebec actually wants is separation of powers. That is a debate we should have by holding a referendum.

**Mr. Denis Blanchette (Louis-Hébert, NDP):** Madam Speaker, I would like to thank my colleague for his speech.

The purpose of this bill is to make changes by proposing a pool of people who might become senators someday. I would like my colleague to say a little about this stealthy change to our parliamentary system and the consequences of this kind of thing. When we do something to a structure like the parliamentary system, we have to look to see where it is going to take us. Here, I am not certain that the government is seeing the big picture. I would like the member from Montmorency—Charlevoix—Haute-Côte-Nord to comment on the big picture we should be looking at when we address this kind of question.

**Mr. Jonathan Tremblay:** Madam Speaker, the consequence of this bill will be to create the illusion that something has been settled, but nothing will have changed. Senators would be elected on a partisan basis. Ultimately, nothing will have changed. Before our democracies were established, one segment of the population made the decisions. Now, everyone does. One segment of the population decided how our parliamentary system was going to operate. Today, I think we have got to a point where everyone must express an opinion. In an election, everyone gives an opinion about the relatively near future. The same should be true for something that is so important and that will last a long time. We are going to be living with this parliamentary system until the next reform. There must be a referendum involving all Canadian citizens.

**Mr. François Pilon (Laval—Les Îles, NDP):** Madam Speaker, my colleague spoke a little about the costs associated with this reform. I would like him to speak to one aspect in particular.

In this bill, the costs of electing future senators are going to be foisted onto the provinces. Except that, even once they are elected, these people have no guarantee they will someday be appointed to the Senate. Does my colleague think the provinces will want to get

involved in investing money in electing senators without being sure they are going to be appointed someday?

**Mr. Jonathan Tremblay:** Madam Speaker, this is my personal opinion, but the provinces might simply propose names. Instead of investing money, they will give the Prime Minister the names of people they know, or people who have an interest in this election. The last word will go to the same person as today: the Prime Minister. He is the one who will decide who participates in the Senate election. It comes down to trading four quarters for a dollar.

**Mr. Claude Gravelle (Nickel Belt, NDP):** Madam Speaker, I would like to congratulate the hon. member for Montmorency—Charlevoix—Haute-Côte-Nord.

Ontario and Nova Scotia have publicly called for the Senate to be abolished. The Premier of British Columbia, Christy Clark, has said that the Senate is useless. Manitoba is in favour of abolishing the Senate. Does my colleague think that the government does not want to hold a referendum to hear the opinion of Canadians because it sincerely believes it will lose?

• (1120)

**Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP):** Madam Speaker, the bill definitely would not pass. We do not know what kind of parliamentary system the people want. They deserve to make that decision and they deserve a thorough debate about the future form of our parliamentary system, our House and our Senate.

**Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP):** Madam Speaker, my colleagues, as elected members, have a duty to be accountable, but members of the archaic Senate do not have this moral duty.

This relic is a home for numerous defeated politicians who are appointed for partisan purposes, which was the case for some Conservatives who lost the election and were still rewarded by the Prime Minister. I am not the first person to use the word “relic”. In fact, the Prime Minister himself described the Senate as a relic of the 19th century. Now that he is no longer talking about abolishing it, as he used to do, he wants to reform it based on equally outdated values. Why not donate this relic to the Museum of Civilization?

You do not have to be able to predict the future to know that this bill will fail, as did the 13 other attempts at reform before it. The NDP's long-standing belief in abolishing the Senate dates back to the 1930s, and it has constantly been reaffirmed by the party. Yes, the New Democratic Party will vote against the bill and will voice its desire to abolish the Senate, pure and simple. If the government is wondering about the public's opinion on this, we invite it to ask Canadians to voice their opinion through a referendum.

Here is why this bill is going to end up in the dustbin of history. It is undemocratic. The government wants to limit the tenure of all senators summoned after October 14, 2008 to a maximum of nine years. Considering that these individuals are accountable only to the Prime Minister, this is an invitation to hit and run. Moreover, they are entitled to a pension when they leave the Senate. While elected members must face voters at each election to get their verdict, senators are free to completely reject the opinion of Canadians.



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The nine-year term set out in the bill confirms this situation, because even if senators were appointed after being elected, they would have the luxury of behaving as they please, without any obligation to go back before voters. The term "election" thus becomes devoid of any moral compass that is part of democratic duty. Since senators will not be allowed to run twice, how can they be accountable to the public? In this regard, the bill does not change anything in the undemocratic basis of the Senate, whose members are accountable only to the Prime Minister. A senator will only be accountable to the Prime Minister, as has always been the case. The bill only provides that a list be submitted to the Prime Minister. It does not in any way affect his discretionary powers.

Some may argue that the Prime Minister will never dare oppose the public's choice, but recent history has shown that the Prime Minister can violate this principle, as he did on the issue of fixed election dates.

I am going to digress a bit and talk about my thoughts while listening to hon. members and what the majority of people think of the Senate. To most people, the Senate is not a big concern. Except for the fact that it costs a lot of money, people do not wake up in the morning thinking about the Senate. For years, I too did not think about those individuals sitting over there and quietly passing the time while waiting for a well-deserved retirement. I did not think about the Senate until Ms. Verner was appointed there. To me, that was a fundamental violation of the democratic process. Someone who had lost all authority through a democratic process was promoted to the Senate with a golden pension for the rest of her life, this for services rendered to the Conservative government. There is a problem there.

There is a second problem. The Senate blocked two bills passed by a majority of members in a Parliament that required the agreement of all parties in order to make a firm decision. I am referring to Bill C-311, An Act to ensure Canada assumes its responsibilities in preventing dangerous climate change, which the Senate killed, and Bill C-393, An Act to amend the Patent Act (drugs for international humanitarian purposes) and to make a consequential amendment to another Act.

In addition to posing a problem of legitimacy, the people appointed to the Senate have begun to kill bills duly passed by a democratically elected assembly. This is starting to get serious. Do we want to continue down that road? The Conservative government is going down a path that is fraught with danger for the future and for democracy.

It has been said the Prime Minister will take into consideration the provincial nominees or the list submitted when elections are held. I am the first to doubt this, and I am convinced that my colleagues and my friends in the NDP and other parties also have serious doubts about that.

• (1125)

Let us imagine for a moment that cross-Canada elections are held for senators. The list of new senators includes Amir Khadr, a symbol of the new Quebec left. This man is a leading light. His views could lead to social progress in Canada. Would the Prime Minister agree to appoint him to the Senate? Never, that is clear.

François Saillant, a champion of Quebec's homeless people, has been involved in every fight to increase social housing in the past 25 years. Would the Prime Minister appoint him if he were on the list? Never.

If Steven Guilbeault were on the list submitted by Canadians, would he be appointed as a senator by the Prime Minister? Of course not. I am convinced that members of the Green Party share my belief. Steven Guilbeault would never be appointed, nor would Laure Waridel of the organization Équiterre. The government does not want supporters of fair trade. We know that trade is unfair in the House. We have to leave it alone.

Would David Suzuki be appointed if he were on the list? I am convinced that the Conservatives would not want to appoint David Suzuki to the Senate.

Would astrophysicist Hubert Reeves be appointed? Would the Prime Minister appoint an astrophysicist, when this party denies scientific facts and scientific actions? Never.

Vivian Labrie founded the Collectif pour un Québec sans pauvreté, which fights to try to get the government to take the reality facing those most in need into account when making decisions. It fights to prevent decisions that will affect the poorest one-fifth of the population. Would this government appoint Ms. Labrie to the Senate? Never.

So this shatters the illusion and the fantasy that the Prime Minister would definitely appoint all of the senators proposed. That is not true. I would like to come back to my speech, which does not necessarily address that, but this raises a question. Basically, is it not dishonest to claim such things, when we all know the political stripes of the people appointed to the Senate?

The Prime Minister is under no obligation to appoint someone who has been elected by a province or territory. This bill therefore does not change how senators are appointed, since the Prime Minister is still free to choose whomever he wants to appoint to the position of senator. How can anyone believe that he will respect the democratic will of the people? He clearly does not understand the notion of democratic accountability. The Conservatives say that the provinces would be able to choose any system they like to elect senators, as long as the system complies with basic democratic principles. The facts show that this government knows very little about basic democratic rules. We cannot help but be cynical, since the government acts as though it was elected by 100% of the population when, clearly, that is not the case.

Quebec has called this bill unconstitutional. The provincial government said that it would go to court if this bill were passed without prior consultation with the provinces. What do the Conservatives want to do, reopen a constitutional debate? What a great way to be put through the wringer.

In closing, I wish I could find the words that would bring this government back to its senses and make it see that this issue must be resolved by the people.

We invite the government to hold a referendum if it is certain about the reform it wants to propose. I remain convinced that all Canadians would like to do away with this relic and relegate the Senate to the Canadian history museum.

● (1130)

[English]

**Mr. Mike Wallace (Burlington, CPC):** Madam Speaker, the member opposite makes the exact point that we are making. This bill would allow for the election of senators. If the individual, who the member was speaking of before, Mr. Suzuki, was interested in becoming a senator, and he might even be a non-partisan senator, who knows, this bill would give him the opportunity to run for that position. It is exactly the democracy that we are advocating for on this side of the House.

Why are the New Democrats opposed to David Suzuki having the ability to run for the Senate?

[Translation]

**Mr. Pierre Dionne Labelle:** Madam Speaker, if the hon. member is so fond of David Suzuki, Hubert Reeves, Vivian Labrie and Steven Guilbeault, why did his government not appoint them directly instead of appointing Ms. Verner and other associates involved in the financing of their party? He is all talk.

[English]

**Mr. Mike Sullivan (York South—Weston, NDP):** Madam Speaker, I found that to be a very enlightening and interesting speech.

It is clear that the member on the other side of the House has not read the bill. Whether a person runs for election or not, it does not mean that the person would become a senator. It means the person's name would be put on a list which the Prime Minister could look at. The Prime Minister would have the right to say no according to this bill. The Prime Minister certainly would say no if somebody on that list was someone with whom he vehemently disagreed. He would never appoint the person to the Senate.

Would the member like to comment further on that?

[Translation]

**Mr. Pierre Dionne Labelle:** Madam Speaker, I would like to thank the hon. member for his question.

I did mention people and, if I took the time to talk about them, it is because they actively participate in Canadian debate but the Conservative government will never recognize them as having a vision for Canada's future. This government is lacking a vision for the future, a vision on climate change, trade, industry and energy issues.

In civil society, these people participate in this thought process. However, the members opposite do not. The proof? We are discussing the Senate and no one is rising to speak today. The Conservatives have decided that they are not interested and that everything is fine. They do not act like a majority government but like a government that does not care about Canadians or about the message that the provinces and the people regularly send about these different bills. The Conservatives do what they want. Despite the fact that 70% of people are against some of the provisions they are

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bringing before the House, the Conservatives are stubborn; they fight and they introduce those provisions.

Clearly, the speeches and the responses that have been given today are really intended to show Canadians the government's infamous way of making a mockery of democracy.

**The Deputy Speaker:** The hon. member for Nickel Belt for a quick question.

**Mr. Claude Gravelle (Nickel Belt, NDP):** Madam Speaker, I would like to commend the hon. member for Rivière-du-Nord for his wonderful speech about the Senate.

Many provincial premiers have said that the Senate should be abolished. Why does the hon. member think that the government does not hold a referendum to find out what Canadians want to do about the Senate?

● (1135)

**Mr. Pierre Dionne Labelle:** Madam Speaker, I am finding it difficult to get inside the Prime Minister's head. How has he switched from a vision in which he called for abolition of the Senate, when he called the Senate a relic of the past, to a vision of a Senate of elected representatives?

Recently, the Senate has been used for undemocratic purposes and a lot of people on that side of the House are pleased with that undemocratic atmosphere. I have the impression that they want to keep going in that direction and systematically block democratic debate, as we are now seeing in committees and in the House. That would be another way of infringing the prerogatives of Parliament.

[English]

**Ms. Irene Mathysen (London—Fanshawe, NDP):** Madam Speaker, I am very happy to be speaking to the Senate reform bill.

First, let me say that I am very disappointed that the government has put up no speakers. I wonder just how important this bill is to the Conservatives if they have nothing to say.

As members know, New Democrats have long advocated for abolishing the Senate. This has been our position since the 1930s. Very recent polling shows that Canadians are open to having a closer examination of the value of the Senate in the 21st century and that we should carefully look at Senate abolition because it is achievable and it is a balanced solution.

The NDP believes that the Senate is a 19th century institution, an anachronism that is unnecessary in a modern 21st century democracy like Canada's. Senators only sit 90 days of the year and they cost taxpayers over \$90 million annually. The Muskoka minister's \$50 million pales in comparison. Democracies such as Denmark and New Zealand have long since eliminated their outdated senates. This decision was also undertaken many years ago by our own provincial governments. There are many who support the NDP position, including the premiers of several provinces.

For example, the premier of British Columbia, Christy Clark, stated in May of this year:

I support abolishing the Senate. I don't think the Senate plays a useful role. I think that they've outlived their usefulness to our country.



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Ontario Premier Dalton McGuinty echoed Ms. Clark's comments:

We think the simplest thing to do is abolish it, and I think, frankly, to reform it in any substantive way is just not possible. We have one elected accountable body that sits in Ottawa for us in the House of Commons. I just don't think we need a second, unelected, unaccountable body.

Even Conservative-friendly premiers condemn the Prime Minister's recent patronage appointments.

Saskatchewan Premier Brad Wall said, "It takes away momentum for change at the provincial level and it will probably increase calls that we hear from time to time saying, 'Do we really need this institution?'"

The Senate has become a repository of failed candidates, party fundraisers and professional organizers. These taxpayer subsidized Conservative senators even torpedo legislation passed by the elected members of Parliament. We are talking about bills passed by elected and accountable members of Parliament, such as the late Jack Layton's private member's bill to ensure action on climate change. Also, there was the member for Ottawa Centre's private member's bill to provide affordable AIDS drugs to those suffering in Africa. Both bills were killed by the Senate.

Both of these bills were extremely important and valuable not only to Canadians, but to people around the world. These bills were an opportunity for Canada to shine on the international stage, but the unelected Senate trashed them and left Canadians wondering what on earth has happened to our democracy.

New Democrats would like to abolish the Senate.

In addition to what has already been discussed, this bill has some other problems. It restricts all senators appointed to the Senate after October 14, 2008 to a single, non-renewable nine-year term. Senators would never have to be accountable for campaign promises they made because they would not have to keep them, or for any of the actions that they had taken while in office.

Provinces and territories are given the opportunity to hold elections if they choose. These elections are at the cost of the provinces. The prime minister can then decide if she or he wishes to appoint the senators, but there is absolutely nothing holding the prime minister to appointing anyone who has been elected.

• (1140)

Several provinces have indicated that they have no intention of holding Senate elections. The Province of Quebec has been perfectly clear and called the legislation unconstitutional and said Quebec will launch a provincial court appeal if the bill proceeds without the consultation of the provinces.

The Conservatives and the Liberals seem intent on maintaining an antiquated institution that they have increasingly used for partisan purposes.

New Democrats understand that the Senate is unnecessary and does not serve to further our democracy in any way at all. We will continue our call for a referendum on the abolition of the Senate. In the meantime, we will work hard to expose the dangers that the Conservative agenda on Senate reform pose to the very fabric of our democracy.

Six years ago when the Prime Minister was opposition leader, he knew there was something wrong with an unelected Senate. He thought it was unfair. He called it undemocratic. He also said an appointed Senate, a relic of the 19th century, was what we had. He did not like how the prime minister holds a virtual free hand in the selection of senators. He promised that if he ever got the chance to be the prime minister, he would not name appointed people to the Senate. He insisted that anyone who sits in the Parliament of Canada must be elected by the people he or she represents.

However, the Prime Minister has turned his back on those democratic principles. Instead of solving the problem, he is becoming the problem. The Prime Minister now holds the all-time record for appointing the most significant number of senators in one day. Who are his appointees? The Conservative Party faithful: spin doctors, fundraisers, bagmen, insiders, people such as his former press secretary, his former Conservative Party president, his former national campaign director through two elections, and let us not forget the several defeated Conservative candidates who were rejected by the voters.

The Prime Minister has broken his promise to do politics differently. Not only does he play the same old politics, he plays them better than anyone else, and I mean that in a very negative way.

Last fall the Conservative-dominated Senate was used to veto legislation the Prime Minister simply did not like.

The climate change accountability bill was Canada's only federal climate change legislation. It passed twice in a minority parliament. It was good, solid legislation supported by a majority of elected MPs, legislation embodying the direction Canadians want to take. On November 16, 2010, the Senate defeated Bill C-311 at second reading. There was no committee review or witness hearings. Canada's only legislative effort to fight climate change was gone, killed by the unelected friends of the Prime Minister.

Now unelected Senators seem poised to do the same thing to the NDP labour critic's bill requiring Supreme Court judges to understand both official languages. Former Bill C-232 was duly passed by elected MPs in the previous Parliament, and is now Bill C-208.

Just because someone flipped pancakes for the Conservative Party of Canada does not give that individual the right to override the wishes of elected MPs.

Too often today's Senate is doing partisan work for public money. Speaking of money, Canadians are paying more and more for a discredited institution that does less and less at a time when people are dealing with a slow economic recovery, and the Conservative government is contemplating billions in cutbacks.

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Maintaining the Senate costs Canadians around \$90 million a year. While folks are looking for jobs and trying to make ends meet when their EI runs out, or scraping by on pensions that do not even cover basic necessities, senators are earning \$132,300 a year for a three-day work week. Add in travel and expenses and each senator is costing us about \$859,000 a year, all for an institution that will not play any relevant role in the lives of most Canadians.

I can think of a lot of things that do matter to people, such as creating family-supporting jobs, improving public health care, and building decent futures for our kids. Lining the pockets of party insiders just is not high on my or anyone's list.

● (1145)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Madam Speaker, one of the things that I hope to address later today in my presentation on this bill is the constitutional difficulties of reforming the Senate. I am particularly attracted to the NDP proposal that the Senate should be abolished.

How does the hon. member for London—Fanshawe and her party contemplate getting around the constitutional aspects of Senate protection within our system? How would we engage the provinces and territories to make this happen?

**Ms. Irene Mathysen:** Madam Speaker, there clearly will be significant challenges to face in terms of the Constitution.

When I was a member of provincial parliament, we looked at the Charlottetown accord, and realized that any time we take on changes to the Constitution, we face real difficulties.

The point is that Canadians have been very clear. This is an antiquated institution that many Canadians are just not willing to pay for any more.

We would consult with Canadians. We would talk to the provinces. We would find a way of doing it and making sure that the concerns of the people across this country were addressed, while respecting their very clear wish that we move into the 21st century and leave this less than sober second thought bunch behind.

[Translation]

**Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP):** Madam Speaker, my question concerns the attitude of the government toward the fact that one voter out of three voted for the Conservatives. We have to expect that even some of those voters were opposed to this bill.

I would like my colleague to comment on that. What are the Conservatives trying to do by limiting the number of hours of debate on this bill?

[English]

**Ms. Irene Mathysen:** Yes, Madam Speaker, it is very clear. In the last election the Conservative Party garnered 38% of the vote and the rest of Canadians, 62%, voted for other parties.

I have profound concerns about the democratic nature of that. New Democrats have long proposed proportional representation. We think that is the way to make every vote count.

Even more to the point of the gerrymandering of our democracy, both here in the House with time allocation motions and in

committees with all kinds of less than democratic means, the Conservatives are undermining what Canadians believe they have, a democratic state.

One of my real concerns, and I think this has been voiced, is in appointing Conservative-friendly senators. Even when this Conservative government is gone—and let that be soon; it cannot come quickly enough—even after it is long gone, there will be that Conservative Senate interfering with the democratic processes in this House by simply voting down legislation that matters, like Mr. Layton's climate change bill and the bill that would have delivered drugs for people suffering from AIDS, malaria and measles in Africa.

We should be ashamed that happened. Yet we have this legislation in front of us that shows no shame, and in fact supports an institution that has clearly been derelict in any kind of duty to Canadians.

● (1150)

**Mr. Peter Stoffer (Sackville—Eastern Shore, NDP):** Madam Speaker, I do not know if I am really that proud to rise today on the debate of Senate reform because we are not getting Senate reform at all. We are getting Senate stay as it is with a few changes behind the cloak and dagger of what is perceived as Senate reform.

Let me get this straight for the people watching. Only the Conservatives can come up with this. We are going to make the provinces pay for elections. By the way, 40% of people do not vote in a federal election now. I cannot imagine the percentage of people who would love to vote in a Senate election.

Let me get this straight. We would get wonderful people, put their names forward for a Senate election and make the provinces pay for it. For example, if Mr. Smith was elected to be the senator from Nova Scotia, the Prime Minister could say, "No. We don't like that Mr. Smith, the elected person from Nova Scotia. We'll pick someone else."

Folks will have to help me out with this because I really am missing the so-called democratic reform of this one. If one is going to pick someone else, do it in the first place. It is already being done. Why go to the waste of a sham of a so-called election?



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The reality is that every single one of the people in the other chamber is a decent person. I think of Senator Dallaire, Senator Mahovlich, Senator Lang, Senator Meighen and Senator Baker. There are all kinds of them. They are really decent, hard-working, honest people. The premise of the chamber, the so-called chamber of sober second thought—mind, that is not completely gone—is that senators are supposed to peer review legislation that comes from the elected House to ensure that it meets the Charter of Rights and Freedoms and the Bill of Rights and the Constitution of Canada.

In theory, that actually sounds pretty good. We select learned people from around the country to go into the Senate. These are people with life experience in a variety of fields. We use their expertise to peer review our legislation. Then, because they do not have a constituency, per se, they can report on issues facing the country. For example, the Kirby report on mental health was quite good. However, we have to ask ourselves, do we need a publicly funded Senate to produce a report like that? There are probably a lot of private entities out there that may have been able to produce the same report. Senator Kirby also did the 1982 report on the east coast fisheries, and that did not go very well. There is good and bad in both of those reports.

Having said that, they get to peer review executive legislation from the House of Commons. But do they peer review executive legislation from the House of Commons? No, they do not. A classic example is Bill C-311 in a previous Parliament. I am looking at some of my colleagues who were here. It passed the democratically elected House of Commons, went through the committee stage, went through third reading and passed, not once, but twice. Bill C-311 then went to the Senate, where it was supposed to be reviewed, but Bill C-311, the environmental bill from the NDP, did not even get to first base. It did not even get to the clubhouse. It did not even get to the parking lot. Some senators stood and said no. There were no witnesses, no discussion, nothing and the Conservative senators absolutely killed it.

If constituents of Canada vote, they take democracy seriously. We have to ask ourselves, where was the democracy in that? I can guarantee that if that happened to a Conservative bill and New Democrat senators killed it, the Conservatives would be screaming from the rafters. They would be doing what Randy White did, with the mariachi band, in 1995 or 1996, standing in front of the Senate, doing a Mexican salsa. I remember those days very well, how they ridiculed the Senate because a certain Mr. Thompson spent most of his time in Mexico.

**An hon. member:** It was 1997.

**Mr. Peter Stoffer:** Sorry, 1997.

I remember when the Reform Party or Canadian Alliance was against the Senate. It wanted a triple-E Senate. That is all gone now. It is finished when the husband of a sitting cabinet minister can be put into the Senate, along with a fundraiser.

• (1155)

This one is beautiful. This one I really love. Fabian Manning—and do not get me wrong, he is a really nice guy, a decent guy—ran in an election and won. He became a member of Parliament. When he ran in the next election, he lost. The Conservatives said, “Don’t

worry, Mr. Manning, we have a seat for you in the Senate”. The constituents said they did not want him to represent them anymore. However, the Prime Minister said there was a seat for him in the Senate.

About a year or two later, Mr. Manning did the honourable thing and quit. He said he should be an elected member in the House of Commons. That was a very honourable thing for him to do and it was pretty risky too. He ran in the 2011 election and was defeated again. Even though he had quit the Senate, the Conservatives have a revolving door at the Senate, and invited him back in at \$130,000 a year. He was twice defeated, not elected by the people of Newfoundland and Labrador, in the Avalon Peninsula, and was twice put in the Senate.

The Conservatives talk about Senate reform. It is an embarrassment to the country. Our democratic rights and principles make us a laughing stock. It is unbelievable that the Conservatives can hide behind this Senate bill, which is a sham.

Here is a novel idea: we could abolish it. Ten provinces and three territories operate their jurisdictions very well with one operating democratic body. Bring in proportional representation and have a true census of the vote. If we did that, my hon. colleague from the Green Party, sitting in my old seat 309, would probably have three or four more of her people here. That would be true representation of the popular vote.

We should not forget that even though the Conservatives got 38% of the voting public, 40% of eligible voters did not vote at all. Therefore, how many voters in Canada actually voted for those folks? A lot less than 38% when we consider the number of eligible voters out there.

If we were to bring in true proportional representation, we would have a true say in the House of Commons, reflective of Canadian society. We could do away with the Senate. However, if for whatever reason, the provinces were to say there had to be a Senate, and this is the if—I am a flexible kind of guy; some people call me Gumby—why do we not make the Senate truly independent of government? That would mean it would no longer caucus with the government. Senators would no longer be appointed by the government but by a panel of experts.

We should make the Senate completely independent so that we can get the best of the best and have it independent of Parliament. That way senators would not be beholden, or rubber-stamping legislation, or breaking election laws and having a plea bargain deal, paying the \$52,000 and wiping their hands of it. We do not need that from the Senate. It happened.

This is what we get and it is an embarrassment. If we in the NDP were in government and the Conservatives were on this side, they would be standing up screaming at the top of their lungs about the bastions of power, the democratic withdrawal from this country, and shame on the New Democrats for doing that. That is precisely what they are doing. They think they can get away with it. Of course, with their smug majority and their dingwalling efforts, that arrogance is going to come back to haunt them.

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My colleague from Calgary and I have been here the same amount of time and he knows what arrogance does to a front bench and what it does to the backbench. If the Conservatives think this arrogant piece of legislation is going to pull the wool over anyone's eyes, and no offence to the sheep out there, it is simply not going to work.

I ask the government to withdraw this bill, to get rid of it. We could save \$100 million a year by abolishing the Senate. I mean no offence to the good people over there. I have said many times I have not met an MP or senator that I would not want as my neighbour. They are all decent people, but the chamber itself is a prehistoric institution and is no longer required. That would save us \$100 million a year. What could we do with that kind of money? That is a debatable question.

● (1200)

The Prime Minister, with the economic action plan, appointed 27 senators in one year. Over 20 years, the cost will be \$100 million. That is the economic action plan right next door for all their friends and neighbours.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Madam Speaker, I wish to congratulate my hon. friend from Sackville—Eastern Shore for being elected the most congenial of members of Parliament five years in a row. He reflected that in not taking any hits against any person named in the Senate, who are all good people.

I want to buttress his arguments slightly by going to Bill C-7. There really is no mandatory element that senators should come from this list. Clause 3 states that the Prime Minister “must consider names from the list”. Within the schedule, paragraph 1, we have the strange construction that “Senators to be appointed for a province or territory should be chosen”.

As a student of law, I learned that we look for discretionary language “may” or mandatory language “shall”. I have never before found a “should” in legislation.

I find this whole thing rather illusory that the government is requiring anyone to come from a list that is elected. Could my hon. friend comment on that?

**Mr. Peter Stoffer:** Madam Speaker, the member from the Green Party is one of the finest people in our country and well-deserved of the Order of Canada.

Both she and I have been around union contracts for a long time and we know what those weasel words actually mean. At the end of the day, no matter what comes out of this, the Prime Minister, and the Prime Minister alone, will have the final say on who sits in that chamber. Those are the facts, the truth and Canadians should know this. It does not matter what is done. The process is a sham. At the end of the day, one person determines who gets to sit in the chamber. I guarantee members it will be payback time for an awful lot of people who helped that man out.

[Translation]

**Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP):** Mr. Speaker, I would like to know what my colleague thinks about the fact that, ultimately, a bill is being brought forward to keep the Senate and have basically the same thing we have now. As well, it will be more expensive in the short, medium and long terms than it is at present. It is often said that in a

democracy, money is never invested badly, but in this case, are the Conservatives being good managers?

[English]

**Mr. Peter Stoffer (Sackville—Eastern Shore, NDP):** Mr. Speaker, he is right. Let us think about all the money we are wasting right now on this topic when, at the end of the day, we are going to end up back in the same place we started, with a non-elected, non-responsible, non-accountable, self-appointed friends of the Prime Minister Senate.

The reality is we do not have to do that. The government could introduce legislation that I am sure, and I cannot speak for the Liberals or the Green Party, we would definitely support. It could be one line “abolish the Senate”. If that were brought forward, we would give it passage right through the committee, right on to second reading and onward.

If the government cannot do that, we have ways of vastly improving the legislation to the point where the senators are not an extension of the long arm of the government.

**Mr. Claude Gravelle (Nickel Belt, NDP):** Mr. Speaker, my colleague, Gumbo, from Sackville—Eastern Shore, gave an eloquent speech.

At the end of the day, if we have elections for senators and the Prime Minister appoints somebody else instead of appointing Mr. Smith from Nova Scotia, what is the point of having elections or what is the point of having a Senate?

**Mr. Peter Stoffer:** Mr. Speaker, it shows that the government is trying to pull the wool over the eyes of Canadians, yet the taxpayers are going to have to pay for this. Those individual provinces that decide to go into this scheme, which is really like a Ponzi scheme, will end up paying for something that at the end of day they will not get value for their money. It is quite clear that the prime minister of the day, whichever party, will decide who sits in the Senate. That has to stop.

● (1205)

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, my hon. colleague from Nova Scotia is a tough act to follow. That was one of the best speeches I have heard in the House. He was flying.

[Translation]

I am pleased to speak to Bill C-7.

If I understand correctly, what is being proposed seems to me to be an improvement on what we have now. For example, they are proposing that the law limit the terms of all senators summoned to the Senate after October 14, 2008, to a maximum of nine years. In my opinion, that limit is not a bad thing. As well, the provinces and territories would have the option of choosing to hold elections at their own expense to determine what names would be submitted to the Prime Minister for consideration. We are not living in a perfect world.



*Government Orders**[English]*

In a perfect world we would have the following. What the government has proposed is not a perfect world. In a perfect world we would have senators appointed for a limited period of time. They would be non-partisan and they would not represent specific political parties or be appointed as a reward for their services to a party. They would be distinguished people from most segments of society, such as first nations, business, labour leaders, the social sector, students.

In a perfect world a group of non-partisan people, an impartial board, would select individuals. If we were to do this, then in this perfect world we could have a chamber of sober thought consisting of respected people who would look at the work we do here and certainly not meet with the caucus of the governing party of the day, but, as the previous member said, be truly non-partial.

When we on this side speak out against what goes on in the Senate or what is proposed, we are not criticizing many of the honourable senators in the Senate. For example, I am pleased to see my former boss and friend from Yukon, Danny Lang, there and he is working hard. There are other folks like Hugh Segal, who has been championing poverty issues and rural poverty for many years. I certainly respect the work he and many of his colleagues do.

Unfortunately this is not a perfect world and it is an illusion or dream to think that we somehow could have in our democratic country a group of people, wise elders of our society, who would sit down and reflect upon what needs to happen and give its impartial advice. However, as my colleague from London—Fanshawe earlier said, it is not a reality and there is a contrast between what happens in the Senate, with its expenses, and all the effort that goes into maintaining that antiquated body.

If the Senate did not exist, we could inject more funding toward assisting people who are unemployed, the percentage of workers who do not have access to employment insurance. Many of us met with students in the last couple of weeks and know that, for example, the average student debt in British Columbia upon completion of university is \$27,000 and tuition fees are rising. Yet other countries have made it a priority to have free tuition and health care and have strong economic engines, countries like Sweden.

In previous Parliaments I have been in since I was elected in 2006, there was actually a fair amount of debate on various bills and a fair number of witnesses would be brought to committees. There was much scrutiny, unlike now, when there is limited debate and closure on a number of important bills. Even after that time, when these bills would go to the Senate, under the direction of the current Prime Minister and his ideologically-driven government, they would be killed and often senators were told there would be no further debate whatsoever.

There was the climate change accountability act in the previous Parliament, Bill C-311, and the bill on generic drugs. For all the people watching this debate, a bill to help people suffering from AIDS so we could finally eradicate this devastating disease and take up the work done by Stephen Lewis and his foundation was before Parliament. Groups like the Grandmothers for Grandmothers, which I met with in Nelson a couple of weeks ago, is raising money to assist grandmothers in Africa who are raising children. There are

millions of orphans due to this devastating disease. Parliament had a chance to pass that bill and, in fact, did so.

• (1210)

What happened? The Senate limited debate and stopped it. As a result, we do not yet have a policy to assist those suffering with AIDS by having cheap generic drugs available. This is truly a shame.

Then we had the act to kill the Wheat Board rammed through Parliament by the Conservatives without any democratic vote by farmers, the people who are part of the Wheat Board. There was limited debate in Parliament with no economic analysis, no in-depth study and a limited number of witnesses. Now this bill will go the Senate. If there were an impartial Senate, if the Senate, in an ideal world, were made up of wise people from different segments of society, they would look at the bill, bring in witnesses and say that maybe Parliament has not done what it should have been doing. They would then send it back to us and tell us to get back to work and fix this or abolish it, because that is not the will of the people that the House of Commons has reflected.

Then there is the crime omnibus bill that we are all faced with now that has also been rammed down our throats. At a time when crime rates are going down, we will be putting more people in prison and, not only that, the provinces will be bearing the costs of the bill. Even American conservatives are turning away from putting people into prisons. They are saying that it is not cost-effective and that maybe they should be doing more prevention and more rehabilitation. At the same time, we are going against all of the evidence and the Conservatives are not even listening to their conservative friends in the United States or the Canadian Bar Association and judges.

Even though most of Canadian society and the provinces have asked us what we are doing, the bill has been rammed through by the government. Once again, if we were to have a Senate that truly represented Canadian society in an impartial way, it would tell the Prime Minister to take his time here, that this does not need to be rushed through.

We need to hear more witnesses and actually listen to what the Canadian Bar Association is saying. We need to listen to our provincial colleagues who say that the cost is a bit too much and that they cannot really afford it. We need to listen to the Canadian public and then, in an ideal world, the bill would be brought back here and we would be told to do something about it that truly reflects the values of Canadian society and not the ideology that the government is presenting to us in this Parliament.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I am always intrigued by the NDP's position in regard to the Senate. It seems to be fairly straightforward and simple in the minds of many colleagues in the NDP and that is that we abolish the Senate, that there is no situation in which the New Democratic Party could envision where there would be any value whatsoever to Canada by retaining some form of a Senate.

If the majority of Canadians disagreed with the NDP and believed that there was some value in retaining the Senate, would the member be prepared to support the will of the majority of Canadians?

*Government Orders*

• (1215)

**Mr. Alex Atamanenko:** Mr. Speaker, I truly believe that we do need to listen to the majority of Canadians when we even attempt to change or abolish the Senate. I certainly would be prepared to support the majority of Canadians. For example, I talked about this ideal world where we could have a different way of having the chamber of second thought. It would be something to explore and we could maybe put something out to the public with different options.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, there are a couple of different aspects of the bill that are troubling. I spoke earlier in terms of the constitutional ways in which we become ensnared. However, we have not had an adequate discussion across Canada of the difference it will make to the house of sober second thought continuing under this legislation once it is able to claim some legitimacy through the quasi election process before the Prime Minister appoints them.

I wonder if the hon. member has any concerns that we might create much more of a system like the United States where there would be constant gridlock between an elected House and a quasi elected Senate.

**Mr. Alex Atamanenko:** Mr. Speaker, I truly welcome my hon. colleague's presence here in the House. We will be collaborating on a bill that I will be introducing on the department of peace.

I think there could be problems with an elected Senate. When we are elected, especially if we want to be re-elected, sometimes the focus is not on the actual job but on being re-elected.

I would say that, if we are to retain a Senate, perhaps it should be people from all segments of society who are appointed by an impartial board. They could then focus on what they need to do for that period of time and not worry about whether they would be elected, re-elected or what the government is doing and be, as my colleague from Nova Scotia said, completely independent of the government of the day.

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, even in the guise of reform, the bill is not really reform. We have heard several times that the Prime Minister would retain the right to decide who gets appointed. Therefore, it is really an appointed Senate.

The only real reform is the term limit, which would go from life to age 75, or now nine years. However, even that is a dog's breakfast of mixed up rules and regulations depending on when one was appointed. By my calculations, the number of people who could theoretically be elected over the next six years would amount to only 36 people. Therefore, 64% of the Senate would remain an appointed Senate in six year's time. Does the member have some comment on that?

**Mr. Alex Atamanenko:** Mr. Speaker, I think this bill is a waste of time. We should put it to the Canadian people whether they want to keep the Senate and, if they do, we need to give them some options that might work, rather than the option that is before us.

[Translation]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I am pleased to rise in the House to speak to Bill C-7, An Act respecting the selection of senators and

amending the Constitution Act, 1867 in respect of Senate term limits.

The NDP's position was clearly stated at the beginning of this debate. Since 1930, we have been in favour of abolishing the upper chamber for various reasons. This is a position that I believe is unanimous in New Democrat circles and that periodically comes up and is always reaffirmed at our conventions and meetings.

There are specific reasons for that, but first I would like to mention that we are not the only ones. The provinces are also in favour of flat out abolishing the Senate. Ontario, Nova Scotia and Manitoba have clearly spoken out in favour of doing so. With respect to Bill C-7 in particular, we know that Quebec has already looked into the possibility of contesting its constitutional validity in court.

What we have in front of us now could be considered a partial reform. It is not real reform of the Senate, but rather a modification of certain aspects. For example, the aspect that has to do with Senate terms. Right now, senators are appointed to the age of 75 or until the death of the senator, and that term would be reduced to nine years. Although the NDP is unanimously in favour of abolishing the Senate, there are some differences of opinion on the Conservative side, particularly among Conservative senators who have already shown some reservations about limits to their terms. Those senators were appointed recently. All members are aware that since the Conservatives took power in 2006 they have appointed 27 Conservative senators, which has given the Conservative Party a majority in the Senate.

We could talk about what the Liberals did before, and we may or may not agree with them. The fact remains that when there was a Liberal government, it was still possible that a non-Liberal senator would be appointed. That was the case in the past. The Liberals even appointed an NDP senator. Unfortunately, we asked her to give up her NDP designation because we do not support the Senate and are proposing that it be abolished. At least former Liberal governments provided some balance. But we are not seeing that same kind of balance with the Conservative government.

We talk a lot about the Senate being a chamber of sober second thought, a place where a different kind of reflection takes place, in comparison to the House of Commons. The members of the House of Commons know that all provincial senates have been abolished. No province has had a Senate since 1968. As far as I know, there have been no significant issues with passing laws at the provincial level since that time. Provinces do not have senates and, to be honest, they do not seem to be missing them. No provinces are requesting or calling for a provincial upper chamber. In looking at the provincial situation, I think that the NDP's position on the Senate is completely legitimate and is far from the Conservative position of wanting to keep the Senate. However, the Conservatives want to reform it. It is interesting to see how the Conservative opinion on the Senate has evolved.



### *Government Orders*

There has been much talk—particularly during the era of the Reform Party and the Canadian Alliance—of the need for a triple-E Senate. Such a Senate, by its very nature and essence, would bear a much closer resemblance to the U.S. Senate as we know it, and that creates a few problems. If the bill were adopted as it stands, similar problems would arise. I will come back to the U.S. model, but I would first like to discuss two specific problems with the bill and the manner in which it provides for the election of senators at the provincial level, who would then be appointed by the Prime Minister.

The first problem has to do with legitimacy. If the provinces have no consistent process for the election of senators—and since the term being used is plebiscite rather than election—it would create a situation whereby, in certain provinces, no senators would be elected or selected in this way. That raises a problem of legitimacy. Those senators elected under one process might believe—and this would undoubtedly be the case—that they have greater legitimacy than those who are simply appointed by the Prime Minister without being subject to the procedure established by the provinces.

● (1220)

That would be problematic since the members of the Senate would not share the same understanding of the institution.

The second problem—and this is where the U.S. example is relevant—is that the Senate currently wishes to be perceived, if it does serve a purpose, as a place for sober second thought in response to bills adopted by the House of Commons. This sober second thought theoretically serves as a counterbalance to an overly populist reaction in the House and is intended to please a certain segment of the electorate without necessarily improving in any way on what the bill proposes.

In its current form—and I think that this has been evident over the last five years during which 27 new Conservative senators were appointed—there is no longer any sober second thought. The Senate no longer plays this role. The Senate, just like the House, polarizes political debate. I believe that the debate and political discourse in the House since 2006 have been much more polarized than in any previous era or decade. That is how things look nowadays in the Senate.

The Senate was intended to be a forum in which senators could adequately reflect upon the impact that bills may have on various facets of Canadian and Quebec society. The Senate no longer plays this role. Two bills have demonstrated this, including one we thought was particularly important. I refer to Bill C-311 on climate change and the establishment of clear standards and targets in terms of greenhouse gas emissions. The House of Commons and its committees held several debates. It was not the first time this bill had been introduced. The purpose of the bill was to ensure that Canada honoured its international commitments. After a number of attempts, the House of Commons finally adopted the bill. The unelected Senate, however, simply opposed the will of the House of Commons, in other words, the elected representatives of the Quebec and Canadian public. The objective was to polarize rather than to be effective. The Conservative government did not condemn this action as it should have, and undoubtedly would have, had a Liberal-dominated Senate stood in the way of one of its bills. When this

occurred in the past, Conservative members led the charge in condemning the abuse of power of an unelected chamber pitting itself against the House of Commons.

My colleague from Winnipeg North raised the question: do Canadians and Quebecers still want a Senate? It is an interesting and very relevant question, in my opinion. I propose therefore, as have a number of my colleagues, to ask Canadians and Quebecers if they still want a Senate, and whether they believe the upper house still fulfils its role. Quite recently, in July, a poll was taken across Canada to determine whether Canadians wanted to vote on the existence of the Senate. Seventy-one per cent of Canadians, including Quebecers, want a referendum in which they can vote on the issue. It is high time that we had this debate. In the same poll, 36 % of Canadians were in favour of abolishing the Senate. This is a significant increase compared to the previous year. It reflects public discontent with the role the Senate has played in recent years and the partisan appointments made by the Prime Minister.

Experience has clearly shown us that abolishing the provincial senates did not drastically affect how the provinces operate. In fact, a number of experts and constitutional jurists would say without a doubt that this perhaps even made it easier for the provinces, because there was no longer an unelected chamber able to interfere and undermine the will of publicly elected representatives. There is not a single province that would revisit the past and choose to bring back an unelected chamber.

● (1225)

We must be very careful about the Senate's mandate and about the direction we are currently taking to avoid having what we see in the United States. The suggestion was made by our colleague from the third party, and had already been made by the NDP. Let us have a real debate, let us include the Canadian public and let us have a referendum on this subject. Our position is clear: we are and will always be in favour of abolishing the Senate.

● (1230)

[English]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, the member made reference in his comments to the fact that there was a fairly extensive poll or survey carried out in which 36% of the respondents felt that it was necessary to abolish the Senate. Ultimately, that would imply that there was a majority that did see some value to retaining the Senate.

If the member were to canvass his own constituents and they were of the opinion that indeed there was value in the Senate, would the member then take the position of supporting retaining the Senate, maybe advocating for change but at the very least supporting a Senate?

[Translation]

**Mr. Guy Caron:** Mr. Speaker, I thank my colleague for the question.

*Government Orders*

This question applies more to the politics of the entire country than to individual ridings. I could go and see the 85,000 people I represent in the riding of Rimouski-Neigette—Témiscouata—Les Basques and ask them the question. However, without a real debate, the kind of broad debate we can have during an election, for example, it is really hard to know exactly what the people think.

This issue regarding the Senate is not at the forefront of the minds of my constituents right now. They have more important economic and social concerns. So if we were to ask them about the Senate, this issue would not be at the top of their list. In fact, many do not even know the role of the Senate. They do not necessarily follow the debates that take place there. If we want real public consultation, it should not necessarily be done riding by riding, but rather by referendum. Thus, the issue could dominate the mass media and we would then be able to see various viewpoints from a broader perspective than we otherwise could through individual conversations.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I thank my hon. colleague from Rimouski-Neigette—Témiscouata—Les Basques for his very interesting speech. I have a question about the reality of this bill.

[English]

I find it fascinating that the federal government is in no way bound by this, which of course it cannot be because of exemptions in the Constitution Act that restrict the federal government's ability to insist on the election of senators without consulting the provinces. However, in schedule 1 of this legislation, we have bound the provinces to hold elections and to create a list which may or may not be used. I would appreciate the member's further thoughts.

[Translation]

**Mr. Guy Caron:** Mr. Speaker, I want to thank the hon. member for her question.

The big problem is that we would have a Senate whose members would be elected or appointed according to different rules. In some cases, there would be more legitimacy and the senators themselves would have a greater sense of legitimacy in certain situations. In that sense, this will create a dysfunctional Senate.

Indeed, my colleague is right when she says that the Prime Minister would still have the latitude not to follow the recommendations that come out of the plebiscites. That is a big problem. This bill creates a type of hybrid, a type of monster, and we will not necessarily know the extent of it until it happens. We are not interested in testing out that experiment. We would like to see how Canadians feel about this issue and have a party that advocates the abolition of the Senate, which is what the NDP promises to do.

[English]

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I thank the hon. member for his well-informed comments on this bill. This is the third time that this bill has been introduced, so clearly the Conservatives have not seen it as a priority. However, as it relates to basic democratic reform, I want to ask the member, would he agree that a more pressing issue is to move ahead with proportional representation for the House of Commons itself, and would that be a better measure for us to move forward on?

[Translation]

**Mr. Guy Caron:** Mr. Speaker, the answer is yes, absolutely. I think that if the question is clear, then so is the answer. That is what is missing right now.

Our current system dates back to 1867, and even further than that since we adopted the British system. That system no longer suits today's realities. It is a flaw of the House of the Commons that a party can form a majority government with less than 40% of the votes.

In that sense, proportional representation would be much more modern. There are a number of types of proportional representation. We can sit down and discuss the merits of each. Nonetheless, I think that proportional representation is an inevitable solution for the House. We should get on with it.

• (1235)

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, I am pleased to take part in the debate and give the Bloc Québécois's opinion on Bill C-7, the Senate Reform Act.

No one in the House will be surprised to hear that the Bloc Québécois is of the opinion that we can do without the Senate and that we should just abolish it.

The Senate is an archaic institution. I heard members of other parties describe it as such earlier. I know that, in the House, we cannot denigrate the other chamber. However, I do not think that it is a form of denigration to say that, today, in a democracy, it is completely useless to spend so much money and have 105 senators who simply redo the work that was already done by legitimately elected people. That is the big difference. In fact, the House of Commons, with its 308 members, makes decisions and passes all sorts of legislation while following the procedure that should normally be followed here, which involves first, second and third readings. That being said, with the current Conservative government, this procedure is not being followed at all because the Conservatives are imposing time allocations for almost every bill.

In the beginning, the Senate, whether it was at the federal or provincial level, was put in place to protect certain territories. However, over time, the Senate became a place where the Prime Minister appointed friends to ensure a majority. That is what the current Prime Minister promised not to do but, when he had a minority government, he saw that he could change things by appointing Conservatives to the Senate to have a majority there. He broke his promises. He made a series of very quick appointments so that the Senate would have a Conservative majority. The Senate has thus become a very partisan place. I do not say this to insult the senators. Some are doing the best they can and are doing their work honestly.

I think that almost everyone, at least in Quebec, agrees that we could easily do without the Senate since the House of Commons operates in a completely democratic way with 308 people who, for the most part, campaigned and were elected democratically by the public, which is not the case for senators.



### *Government Orders*

Of course, Bill C-7 seeks to ensure that senators are elected. However, in my opinion, the Conservative government is trying to do indirectly what it cannot do directly. It wanted an elected Senate and it made this an election promise. In fact, this goes back to long before the current Conservatives. At the time of the Reform Party, they also wanted an elected Senate. However, they realized that constitutional changes and consultations with the provinces would be necessary to achieve that goal. So they decided to resort to this process and basically tell the provinces they could hold elections and the federal government would then decide whether or not to accept the results of those elections. This is completely ridiculous.

I believe the government introduced Bill C-7 thinking it could avoid consulting with the provinces. Personally, I think that is the major problem with this bill.

So we are witnessing a Senate reform and also a House of Commons reform, since there is also Bill C-20 dealing with representation in the House of Commons. These two bills will weaken Quebec's position within federal political institutions. We know that, with Bill C-20, the government wants to diminish the political weight of Quebec in the House. As for the Senate, we know that Quebec does not agree with the government's way of doing things, but the government wants to have its way nevertheless.

The Bloc Québécois feels that the job of senator is increasingly becoming a reward given by the Prime Minister to political friends. The Senate as an institution is less and less useful to democracy. We are saying that the Senate should be abolished. As members will see later on in my speech, I have a survey which shows that Quebecers fully support abolishing the Senate.

I remind the House that Quebec's long-standing position is that any change to the Senate must be made with the agreement of Quebec and the provinces. Quebec is not the only one to hold this view since the government began trying to introduce a bill to reform the Senate.

We can go all the way back to the late 1970s. The Supreme Court of Canada looked at the power of Parliament to unilaterally change the constitutional provisions dealing with the Senate. In its decision, the court ruled that decisions regarding major changes affecting the fundamental nature of the Senate cannot be taken unilaterally.

• (1240)

That could not be more clear. The House does not always agree with the decisions of the Supreme Court, but we must abide by them. With this ruling, the Supreme Court spoke loud and clear:

Changes to the powers of the Senate, the method of selecting senators, the number of senators to which a province is entitled, or the residency requirement of senators can be made only [in consultation with Quebec and the provinces].

That could not be more clear. In 2007, Benoît Pelletier, a former Quebec minister of intergovernmental affairs, a renowned teacher and constitutional expert respected by all Quebecers, both federalists and sovereignists, reiterated Quebec's traditional position by stating that the Government of Quebec believes that this institution does not fall exclusively under federal jurisdiction. In a press release dated November 7, 2007, which I will table in a moment, this former minister said:

Given that the Senate is a crucial part of the Canadian federal compromise, it is clear to us that under the Constitution Act, 1982, and the regional veto act, the Senate can be neither reformed nor abolished without Quebec's consent.

He said it a number of times, on television and elsewhere. Benoît Pelletier has credibility in this matter. The same day he made that statement, Quebec's National Assembly unanimously passed the following motion:

That the National Assembly of Québec reaffirm to the Federal Government and to the Parliament of Canada that no modification to the Canadian Senate may be carried out without the consent of the Government of Québec and the National Assembly.

Much earlier, the same position was taken by Robert Bourassa as well as Gil Rémillard, a constitutional expert who was a minister and my professor, although that is nothing to brag about. In any case, he certainly had a great deal of credibility.

In 1989, Robert Bourassa said that he did not want to discuss Senate reform before the Meech Lake accord was ratified. In 1982, Gil Rémillard said that the signing by Quebec of an agreement involving Senate reform would depend on the results of negotiations on the concept of a distinct society, the division of powers and the federal spending power.

Regardless of their party, all elected representatives in Quebec agree that the federal government should not make any changes without the permission of the provinces, and of Quebec in particular, in the examples I just gave.

In 2007, Quebec's Liberal government took part in the Special Committee on Senate Reform. In its brief it stated:

The Government of Quebec is not opposed to modernizing the Senate. But if the aim is to alter the essential features of that institution, the only avenue is the initiation of a coordinated federal-provincial constitutional process that fully associates the constitutional players, one of them being Quebec, in the exercise of constituent authority.

The Government of Quebec, with the unanimous support of the National Assembly, therefore requested the withdrawal and/or suspension of various bills that were introduced by the Conservative government over the course of previous sessions, including Bill C-43, which had to do with elected senators. It also requested the suspension of proceedings on Bill S-4—which became Bill C-19, then Bill C-10—which had to do with term limits, so long as the federal government was planning to unilaterally transform the nature and role of the Senate.

Bill C-7 raises the same problem and it clearly shows that the government wants to act unilaterally.

I would like to quote a poll on the Senate conducted by Leger Marketing in 2010. It said, "The majority of Quebecers think that the Senate has no worth in its current form and even more Quebecers are in favour of abolishing the Senate."

I encourage all members of the House to consider the opinion of the Government of Quebec, of the other provinces and of Quebecers in this poll, to truly understand that the government cannot act unilaterally here.

• (1245)

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP):** Mr. Speaker, I appreciated the comments and speech made by my colleague. I would like to read a brief remark made by Senator Bert Brown:

[English]

In his comments he said:

Those of us who came to the Red Chamber were there to get a majority vote for reform.

Then he went on to say:

Every Senator in this caucus needs to decide where their loyalty should be and must be.

[Translation]

He sent this letter to several other senators.

I listened to the hon. member's speech and I think he is on the right track. Like us, he is in favour of abolishing the Senate. Can the hon. member tell us whether the Senate is truly impartial and a forum for sober second thought concerning the decisions made by the House? I would like the hon. member to respond to that. Is the Senate truly an impartial chamber?

**Mr. André Bellavance:** Mr. Speaker, I would like to thank the member for her question. Without making a sweeping, general comment, I can give an example.

I recall that when Jacques Demers, the former head coach of the Canadiens, was appointed to the Senate, he was asked what interested him in the Senate and what bills and measures he intended to support. The first example that came to mind—and I understand this because we also agreed with that measure—was the bill introduced by Senator Jean Lapointe. Senator Lapointe was also well known in Québec, and obviously throughout the rest of Canada, as he was an actor and singer. In any event, he had introduced a very important bill concerning lotteries and gaming. He wanted stiffer rules regarding slot machines in bars. In the end, Senator Demers did not vote because the Conservative Party told him that there was a party line and that the Conservatives did not agree with the bill.

People come here, oftentimes in good faith, and end up realizing that there is a party line and that this line has to be toed in the House—and yet, these people are democratically and legitimately elected. In the Senate, they sometimes think that they have some leeway, but that is not the case.

In response to the member's question, the answer is no, certainly not. People are appointed for partisan reasons to do the work for the party that appointed them.

**Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP):** Mr. Speaker, I have a comment for the hon. member for Richmond—Arthabaska concerning his preamble.

Earlier, he said that we could not denigrate the other chamber when in fact the government is constantly doing just that, so I do not think that we are prevented from making such remarks about the other chamber. We can say that the Senate has never done its job and is still not doing it.

Does my colleagues think that the Senate is going to be able to do its job in the future as a result of this new bill?

**Mr. André Bellavance:** Mr. Speaker, I would like to thank my colleague for his question.

Obviously, I was referring to a rule that we do not attack the other chamber here, but in fact, with thanks to you, Mr. Speaker, we are

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fortunately still able to criticize it. We are still living in a democracy and it is certainly not forbidden.

To answer my colleague's question, he is entirely correct. In fact, his question was more of a comment. However, I think this Bill C-7 does not actually change anything in terms of the legitimacy of the Senate, particularly since we could find ourselves with a completely crazy creature, if I may put it that way. We might have senators appointed by the Prime Minister, as they are at present, for some provinces where they refused to hold elections, and in other provinces we would have elected senators because they held elections there. And worse still, even if the provinces decide to send a list, the Prime Minister is not obliged to accept those nominations.

Imagine the mess there might be with that kind of Senate. We would have some democratically elected people and others who were still appointed, with all the partisanship that implies. Since the Senate already serves no purpose, I do not think Bill C-7 would improve the situation.

• (1250)

[English]

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I am pleased to rise in the House today to speak at second reading on Bill C-7, pertaining to the Senate. As many of my NDP colleagues have outlined today in the House, we have a lot of concerns about the bill.

The first thing I want to point out is that this is the third time the Conservative government has introduced this legislation. Despite repeated campaign promises of an elected Senate that go back even to the Reform days, the Conservatives have let it go so long that it makes one wonder whether it is indeed a priority for them.

On examining the bill, the NDP sees several major issues of concern that render the bill not supportable. I think the most basic premise of the bill is that it brings forward measures that are really half-measures, measures that are not going to fundamentally deal with what is a very undemocratic institution.

We know that the Senate has been around for a very long time. The NDP has been calling for the abolition of the Senate going back to the 1930s. When one looks at the bill, it is being put forward under the guise of democratic reform. It is being put forward under the guise of improving the Senate to make it more accountable.

Fundamentally, however, even though provinces may choose to have a process to elect senators, there is nothing in this bill that actually compels the Prime Minister to adopt those electorally based decisions that have taken place. The Prime Minister would still be free to appoint whomever she or he chooses.

That is because the constitutional question; we understand that, but it goes to the very heart of this bill that it will possibly go through legal challenges and it actually does not, in any fundamental way, bring a greater measure of democracy to Parliament itself overall. That is something we are very concerned about.



*Government Orders*

We in the NDP have taken a different tack. First of all, through motions that we have presented and had debated in the House, we have called on the government to hold a referendum that would ask the Canadian people whether or not they support abolishing the Senate.

We think that is a fair thing to do. This debate over the Senate—whether it should be there or not, whether it should be elected, or what form it should take—has now gone on for decades. We believe it is a fair and proper question that should be put to Canadians as to what they see as the future of the Senate.

We know that recent polls show a growing appetite to deal with this question. For example, in July of this year 71% of Canadians were in favour of holding a referendum to decide the future of the Senate and 36% of Canadians supported the abolition of the Senate, up from about 25% a year previous.

We know people are concerned about this issue, but there is no question that the bill is absolutely the lowest denominator. It is a low bar, a very minimal attempt to deal with the fundamental question of democratic reform in our country.

On the bill itself, before I get to a broader question, I think there is concern over what will happen if this bill goes through, as it no doubt will with this majority government. Even though it has been before us three times now, if it does finally go through this time around and we have an elected Senate, if that is what it turns out to be, and local elections take place in provinces and those people are then appointed to the Senate, it will create a very odd entity down the hall in the red chamber. In effect, it will create a two-tier Senate in which it is very possible that those who have been elected will feel that they have more legitimacy, because there will be people who have not been elected and people who have been.

We could end up with a very strange combination. In terms of the operations of the Senate, it could produce significant problems. We could end up with the same kind of difficulty or gridlock that we have seen in the United States, which I think people abhor.

Some people say we have to have a Senate and we have to have an upper chamber, but I would remind all of us that in provincial legislatures, these senate provisions were abolished many years ago.

• (1255)

In fact, all provincial senates were abolished in 1968. Apparently, the provinces and their legislatures have been able to function in a proper manner since that abolition. Therefore, the argument that we must have this upper chamber is a bogus argument.

Obviously, there are people who support the Senate. However, this is the main argument I want to make. There is also a very strong case to be made that it would be better if we focused democratic reform on our system overall.

In the House of Commons we are elected in our 308 ridings and constituencies across the country, seats which may possibly increase soon, and yet there is a fundamental issue here about the process and the manner of that election.

The first past the post system we have is a system that actually does not reflect the way people are voting. The makeup of the

number of seats in the House unfortunately does not reflect the way people are actually voting. The representation by party is not reflecting the actual vote. A system of proportional representation is a far superior and more accountable form of election for the House of Commons or any institution. It is something that we in the NDP have long advocated.

I will say that too has been a big issue across the country. We have seen several referendums provincially. We have had two in British Columbia, one in Ontario, and one I believe in New Brunswick, although I could be wrong on that, but certainly in the Maritimes, so there has been a very healthy debate among Canadians about the need to have democratic reform.

Yet here, at the federal level, there has been a deafening silence. Certainly, New Democrats have pursued this issue with vigour. We have worked with organizations such as Fair Vote Canada. We have been very involved in a healthy debate about democratic reform.

We believe that the real course of action that is needed here, the change that is required to help transform the political process and the way people feel about their involvement in the political process, is to bring forward initiatives around proportional representation. Of course, we should begin here in the House of Commons to have a process to do that.

We came close to that in I think 2002 or 2004 when the former member of Parliament, Ed Broadbent, who was the member for Ottawa Centre, was very active and worked very closely with the Liberal government of the day. We almost got to the point where we would have had a process to examine this question of democratic reform as it affects the House of Commons.

Unfortunately, nothing proceeded, as was often common with the government of that day. There were promises made that were not followed through. We did not make any progress on that issue.

Subsequent to that, we have had vigorous debate at provincial levels about democratic reform. In the provinces that I mentioned, that debate has specifically taken place sometimes over what is called STV, a single transferrable vote. There are again arguments on both sides of that. What was important was that there was an identification by voters that they wanted to engage in a debate and a conversation about changing the electoral system to make it fairer, more accountable and more democratic.

That is the disappointment of the debate we are having here today. We are failing to address the very pressing issue of democratic reform, where people are voting for their own member of Parliament. We could engage in a process whereby we could adopt a position that would ensure that we do have a much more open sense of democratic voting and accountability. There are many countries around the world, and most democracies, that have some form of proportional representation. We are now one of the very few countries that does not.

This is a missed opportunity. Here we are having this debate on the Senate that in and of itself will possibly produce a quagmire of legal questions. We are missing the boat on the fundamental question of democratic reform for the House of Commons.

• (1300)

**Mr. Claude Gravelle (Nickel Belt, NDP):** Mr. Speaker, I would like to ask the hon. member for Vancouver East, who happens to be the health critic for the NDP, a hypothetical question.

A couple of weeks ago there was a motion in the House to ban asbestos and Conservative after Conservative stood and said that asbestos did not cause cancer. Even the good doctor from Simcoe—Grey voted against her former colleagues, the good doctors of this country and scientists. They voted against what Canadians really want and instead voted to help spread cancer in underdeveloped countries.

Hypothetically speaking, if the Conservatives had voted for this motion and it had gone to the Senate, what could have happened to it once it got there?

**Ms. Libby Davies:** Mr. Speaker, that is a very good hypothetical question. I love hypothetical questions.

One of the problems is that when measures pass in the House of Commons, they go to the Senate. As we saw with the climate change bill that was twice adopted by the House of Commons through a democratic majority vote, it was sent to the Senate and was completely buried under whatever business was taking place, which was thoroughly undemocratic.

On the very important issue of asbestos, every medical authority internationally and certainly in Canada has pointed out the dangers of this carcinogen to our health and population. On that very important issue, if we had managed to pass the motion and it had gone to the Senate, we have a Senate that is now chockablock full with the most appointed senators we have ever seen by one Prime Minister under the Conservative government. It speaks to the inability of the Senate to act in a proper manner and comes back to the question of the need for real democratic reform.

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Mr. Speaker, I will agree with the member's party that the Senate needs to be reformed. There is an argument being made that I made once before but I think is wrong, and that is making a comparison to the provincial legislatures which do not have upper houses. The difference is that provinces are much more homogeneous than Canada as a whole.

The Senate was created partially because there are very different geographic regions of Canada with different histories and requirements that need to be balanced. There are parts of the country which just do not have as many people as other parts of it. In order not to disadvantage those regions, the Senate was created.

I wonder if the member would care to comment on whether there is a real qualitative difference between Canada as a whole and the diversity across the country as compared to, say, a provincial legislature.

**Ms. Libby Davies:** Mr. Speaker, that is a very thoughtful comment. The differences we face federally are much greater than provincially, but they still exist provincially. If we take any province, whether it is Quebec or my own province of British Columbia, we will see a wide variety and diversity of regions, interests and people.

### *Government Orders*

We live in a vast country. Our provinces are enormous territories. The fact is that our legislatures have been able to operate very effectively, which is not to say that New Democrats agree with everything they do as there is obviously very vigorous political debate that takes place. But they have been able not only to survive but function properly without the necessity of a senate. The same argument is true here.

I would much prefer that we focus on things like proportional representation for the House of Commons as a true, meaningful, genuine process of democratic reform than mucking around with the Senate and coming up with some kind of strange hybrid, when in actual fact we should be asking the people of Canada if we need the Senate, in any event, and should it be abolished.

• (1305)

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, I am pleased to rise in the House today to speak to the bill entitled "An act respecting the selection of senators and amending the Constitution Act, 1867 in respect of Senate term limits".

Although the bill may appear to address one of Canada's most egregious democratic deficits, I am afraid that the approach being taken leaves much to be desired.

Essentially, Bill C-7 restricts all senators appointed to the Senate after October 14, 2008, to a single nine-year term. Provinces and territories would then be given the opportunity to hold elections at their own expense to determine which names would be submitted to the Prime Minister for consideration, and only consideration.

While on the surface this approach might appear to bring heightened accountability to an unelected institution of the Crown, restricting Senate term limits while holding non-binding Senate elections fails to consider the most logical option for improving Canadian democracy, namely the abolishment of Canada's Senate.

I recall one of my constituents, Craig, telling me that he did not support a triple-E Senate. He supported a single-E Senate, and that single E stands for empty.

Before I get into why New Democrats believe that the Senate has outlived its *raison d'être*, I would like to highlight some specific criticisms of the bill as it currently has been presented to Parliament.

First, it appears that, as it is currently written, Bill C-7 contains a glaring loophole which would completely undermine the spirit of what the government is proposing. This is because the government is clearly attempting to pass legislation which should require a constitutional amendment and making unclear how much force the bill would actually carry.

For instance, by taking an approach which fails to crystallize the changes in Canada's Constitution, the Prime Minister would not be constitutionally required to appoint anyone elected by the provinces. Therefore, the bill does not actually change the way senators are currently appointed as the Prime Minister would still be free to appoint whomever he or she chooses.



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We have seen previous examples of the Prime Minister acting in contravention of existing democratic reform legislation which has passed through the House. Specifically, I can point to the fixed election date legislation. Why then should Canadians trust that the government would actually abide by the legislation that we have in front of us today? Call me a pessimist, but this is certainly one concern that I have with Bill C-7.

Let me make this clear. We know how the House of Commons works, but we have no idea what would happen with an elected Senate. That brings me to another major concern arising from Bill C-7, which is the inevitable gridlock which would arise from having two separately duly elected Houses of Parliament.

Since the Senate would have virtually the same powers as the House under Bill C-7, an elected Senate would have greater legitimacy to introduce legislation or oppose bills sent to it from the House of Commons. On the surface this seems like a good idea. However, when we dig deeper into those proposals, it would illicit the real fear that we could end up with the kind of gridlock we see in the U.S., something which no Canadian wants to see our Parliament descend into.

This brings me to my final point that the best approach to take in order to reduce Canada's democratic deficit is the complete abolishment of the Senate. Personally, I am of the belief that when it comes to the Senate, Canadians do not need it. It is expensive. It has been packed with party insiders and we cannot trust what the leaders are going to do with the Senate.

The Prime Minister has repeatedly used the unaccountable and undemocratic Senate to kill legislation that had been passed in the House of Commons, twice killing Bill C-311, the climate change accountability act and, this spring, killing Bill C-393, a very important bill which would have facilitated the movement of generic antiviral drugs to Africa to help people living with HIV-AIDS.

These pieces of legislation, supported by wide swaths of the Canadian public, were killed by the Prime Minister's appointed senators in the Senate with no sober second thought. How can we have sober second thought when we have a bunch of Conservative Party organizers and fundraisers with obvious conflicts of interest? It makes a mockery of our democratic system.

As I noted earlier, even should the bill pass during the 41st Parliament, there is no guarantee that the government would actually abide by the rules it has put in place. Thus, we could end up with a patchwork Senate filled with a mix of elected and unelected senators.

• (1310)

I will put forward a hypothetical situation. What if the government refuses to appoint a senator who has been elected by residents of a province because it disagrees with the party banner under which that senator was elected? After all, the prime minister would not be constitutionally obliged to actually appoint them to the Senate. That is why I firmly believe the safest and most obviously beneficial approach to the Senate is to abolish it.

I will conclude my statement today by drawing attention to what the provinces, our partners in Confederation, have been saying about the Senate, both in terms of the status quo and the proposals in front of us. Both the Ontario premier, Dalton McGuinty, and the Nova

Scotia premier, Darrel Dexter, have openly called for the abolition of the Senate. The B.C. premier, Christy Clark, has said that the Senate no longer plays a useful role in Confederation, while Manitoba maintains its position of eliminating the Senate. Even more worrisome is that Quebec has called this legislation unconstitutional and has said that it will launch a provincial court appeal if this bill proceeds without the consultation of the provinces.

Why, then, is the government moving ahead with a plan that is not supported by the federal government's partners in Confederation? It seems that without the full support of the provinces this proposal will merely be a paper tiger dressed up as a solution to bring Canada's democracy into the 21st century.

What happens if certain provinces refuse to participate in the system? Citizens of those provinces would certainly be short-changed. Even more dire is the thought that this bill would lead to a constitutional crisis with multiple provinces taking action at the Supreme Court to challenge the constitutionality of this legislation. Without proper provincial consultation, which I fear has not taken place, this is an inevitability and something that should be avoided at all costs.

Therefore, I ask that the government reconsider its position on the bill until such a time as the provinces are properly consulted and sign on to these proposals.

**Mr. Gordon Brown (Leeds—Grenville, CPC):** Mr. Speaker, I listened intently to the presentation by the hon. member for Sudbury and I thought it was very thoughtful and insightful from his perspective. He talked about the potential for a constitutional amendment if there were to be changes to the Senate.

In the absence of the possibility of actually abolishing the Senate, would he not agree that having term limits for senators is something that Canadians would support?

**Mr. Glenn Thibeault:** Mr. Speaker, I am sure we will have much debate about that tomorrow night when we have a little hockey game with one another, all in good fun, of course.

The member raises a good point. Canadians do want to have a say on this. Canadians do want to express their opinions on what they feel about the Senate. I am encouraged to hear that because I would really like to see a referendum brought forward. We should put this to the Canadian people and let them have their say on what they would like to see their Senate represent.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, the member made reference to the position of Manitoba. I am not too sure if any other province has done this, but Manitoba had an all party task force, with a majority of the members being New Democrats. I was actually a member of that task force. We canvassed the entire province of Manitoba, heard numerous presentations on the Senate and the overwhelming feeling was that there was value to having a Senate.

If we look at the public hearings that were conducted in Manitoba and, I suspect, if we were to canvas most Canadians and talk about having a valued Senate, we would find a majority of Canadians would support it because they see the potential value of it.

*Government Orders*

Having said that, if a majority of Canadians do support the Senate, would the member be prepared to come on side, recognize and support having a Senate in the future?

**Mr. Glenn Thibeault:** Mr. Speaker, I do think Manitoba did the right thing by consulting its constituents and having that conversation. It goes back to my last answer to my previous hon. colleague. If we can get this to the Canadian people and they dictate to us that they see the Senate as something valuable, whatever position that is, then, of course, we need to listen to what they are telling us.

However, until we have the opportunity to have a referendum, to hear what Canadians want, we are going on what we are seeing from the data that we are getting. More and more Canadians are saying that we should eliminate the Senate and go with what we have in the House of Commons.

• (1315)

**Mr. Claude Gravelle (Nickel Belt, NDP):** Mr. Speaker, I thank the hon. member for Sudbury for his eloquent speech on the Senate. I really like his idea, or his constituent's idea, of a single E senate.

Aside from that, the Senate costs Canadians \$90 million a year, each year.

The current Prime Minister and the previous Liberal prime minister appointed bagmen to collect money for their parties at taxpayers' cost. Taxpayers pay their salary, their expenses, their employees and their travel so they can go across the country from coast to coast to collect money for the Liberals and the Conservatives.

I would like to hear the thoughts of the member for Sudbury on that subject.

**Mr. Glenn Thibeault:** Where do I begin on that, Mr. Speaker? We have conversations in the House and we debate policy on many issues that affect all Canadians and costs that are associated with that. Some of the things we have been saying is that many of the decisions that are made in the House we need to flip on their heads.

If I could go to the one bill that was defeated in the Senate, which was Bill C-393, the cost associated with providing anti-viral drugs to children and adults in Africa suffering from HIV and AIDS would have been minimal and we could have eased the suffering of people. Instead, we are spending money on, as the hon. member said, travel and everything else.

The decisions that are being made in the Senate are affecting the decisions that we have made in this House. We make these decisions in the House based on what we think is in the best interests of Canadians.

We need to ensure those best interests continue to be brought forward and we need the Senate to actually support these bills until they are no longer around.

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP):** Mr. Speaker, it is my pleasure to speak for a few moments to the bill. I would like to be able to commend it as being an important piece of legislation that had been well thought out and something that was worthy of the attention of all members of the House but I am kind of flummoxed by the condition of this legislation. It does not make

sense. It is ill-conceived. The ramifications of the bill, if it passes as presented, are quite extraordinary.

I know that the government is determined to get its way with most legislation that it brings before us in the chamber. It has invoked closure on eight bills, already seven in this session alone since the middle of September, which really boggles the mind of most democratic-minded Canadians.

This is legislation that proposes to make an extraordinary change to the parliamentary system that has been in place since the 1900s, that was originally based on the British parliamentary system, on the House of Lords, and yet it is striking in how badly written it is. I will talk for a few moments about some of my concerns.

I will deal with the role that the Senate plays in this Parliament. The current Prime Minister made reference in the past to how the Senate was a relic of the 19th century, that it was developed in another time under different circumstances. I do not disagree at all with that description. However, to then move in with a proposition to change it from the purpose and the terms on which it was established and suddenly say that we will make it elected is incredibly radical. I say radical from the comments that were made in the decision by the Supreme Court in 1980 where it said:

The substitution of a system of election for a system of appointment would involve a radical change in the nature of one of the component parts of Parliament.

We have heard members of the opposition say that our solution for dealing with the problems of the Senate is to abolish it. As the member who spoke previously said, one of his constituents recommended a single E Senate, that it be known as an empty Senate. Those sentiments are well-founded because we have seen a Senate, which was originally established to represent regional voices in our country in opposition to, or in juxtaposition to, or perhaps in concert with, the elected House of Commons. That has now become, frankly, a place where former partisans of either the Liberal or the Conservative Party are allowed to sit.

Some of them sit in an honourable fashion and they bring a lot of experience, knowledge and honour to what it is they do. They conduct themselves and their business in an honourable way that most Canadians would be proud of. Unfortunately, they have no basis on which they have reached that, other than the fact that they are partisans.

• (1320)

Now we see that some of those partisans travel this country from coast to coast to coast at the behest of the Prime Minister's Office, raising money, managing campaigns and knocking on doors for provincial parties that are affiliated with their party. Their time is basically spent on partisan purposes. Surely that is not serving anyone's interests other than the partisan interests of the Prime Minister or previous Liberal prime ministers.

I recognize that something needs to be done in order to deal with this situation, but the answer is not to come in with an ill-founded piece of legislation like that, which, as the Supreme Court said in 1980, would make for a radical change.



*Government Orders*

For the provinces, in order to effect the appropriate change in the balance between the two chambers, there would need to be a constitutional change. Constitutional changes need the input and consensus of a majority of the provinces. Here we have a piece of legislation that has not even been run by the provinces nor has it received any consensus whatsoever from the provinces. The bill proposes that the provinces would hold elections, but some of the provinces have said they would not participate. Some of them have said that if they participated, they would hold elections on this basis or that. The Province of Quebec has said that this is unconstitutional. The premier of my province of Nova Scotia, has said:

My position on the Senate in the past has been that I think the House of Commons is elected for the purpose of representing the people of the country. The upper house is not necessary.

The problem is that the government is trying to propose a change to the status of one of the houses of Parliament which would have quite an impact on the provinces and yet the provinces clearly are not on side. They have not been consulted. In one case there has been a clear commitment to take this matter before the Supreme Court.

Why are we dealing with this? If the government were serious about dealing with the role of the Senate, which I think is something that needs to be done, then I would suggest, as members on these benches have said, that we should take the matter to the people. Let us put a referendum together and ask the people of Canada what they want to do with the Senate. I have an inkling that they would say to get rid of it. I am not going to prejudge what the outcome of that would be, nor should the members opposite, but why do we not do that?

If the government is serious about this and if it has some respect for the chambers, instead of bringing in an ill-prepared, ill-conceived piece of legislation before this House, why does it not take the matter of a constitutional change to Parliament, of dealing with the Senate, to the people of this country in the form of a referendum?

It has been a pleasure to rise in this House, as it always is, although I wish it had been a better piece of legislation before us.

• (1325)

**Ms. Joyce Bateman (Winnipeg South Centre, CPC):** Mr. Speaker, I very much appreciate the discussion we are having in the House today, but I require greater clarity from the hon. member of the opposition. He was all over the map. It seems to me that he is challenging the human rights of the members of the Senate. It is not clear to me what the NDP's policy on Senate reform is. I would ask for that to be clarified by the member.

**Mr. Robert Chisholm:** Mr. Speaker, I will not take personally the fact that the member said I was all over the map. Unfortunately, I was trying to follow the key points within this piece of legislation, and it takes us all over the map because it is an ill-conceived piece of legislation.

I was pretty clear on two points. One, my position is that the Senate should be abolished. Two, my position is and the position of the official opposition is that the matter should be put to the people of Canada in the form of a resolution. Let us do it now. Let us put the bill aside and deal with the issue once and for all.

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, I understand that the NDP's position is to eliminate the Senate, but let us set that aside for the moment.

The legislation would permit a prime minister to use his or her discretion in choosing as senators those people who were elected in a province. Frankly, that is a situation I cannot see arising if, in this case, NDP or Liberal senators were elected in a province. I cannot see the Prime Minister exercising that discretion. I wonder if the member sees this as one huge ruse by the Prime Minister to deflect the attention of Canadians away from the real issues that are facing Canadians today.

• (1330)

**Mr. Robert Chisholm:** Mr. Speaker, the member has brought up an excellent point. The bill says to the provinces that individual provinces will have elections for senators, but that is not the end of the story. Then they have to come and kneel at the foot of the Prime Minister's Office. They have to come and kneel before the Prime Minister to get proper dispensation from him before the individuals can become senators.

If some of the things that come before this chamber were not so serious, it would be laughable.

I have to say that I agree to some extent with the member's premise that it is meant as a distraction, as something perhaps to say to the Conservative Party membership in a fundraising letter, "Look at what we're trying to do to get a fully elected Senate". It is a ruse. It is ill-considered, and it is beneath the people of Canada.

[Translation]

**Mr. Denis Blanchette (Louis-Hébert, NDP):** Mr. Speaker, I would like to thank my colleague for his speech.

I am going to ask him a brief question. Back in history, people said, "No taxation without representation". What we are talking about here is accountability. The senators will not be accountable. So I would like him to comment on this expression: "No representation without accountability".

[English]

**Mr. Robert Chisholm:** Mr. Speaker, when the Senate was first set up based upon the House of Lords and the British parliamentary system, there was some inkling of representation on that whole idea of representing the voices of the provinces in opposition to the great unwashed, the commoners who would be elected to Parliament. However, the establishment of the Senate has been so far removed from the concept of representation that it would be a huge stretch to ever think it could achieve that task.

I would suggest that if we were to have a referendum on the issue with the Canadian people, we may begin to get at some of that question of whether or not the Senate should exist, and if it does exist, upon what basis, so that it would be truly representative.

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Mr. Speaker, I rise today to speak to Bill C-7, an act respecting the selection of senators and amending the Constitution Act, 1867 in respect of Senate term limits.

*Government Orders*

The Senate was created in 1867 to mirror the British House of Lords to serve as a chamber of sober second thought, to provide regional representation, and to act as a check on Parliament. It was made as an appointed body so that it could not stop legislation from the House of Commons. It was to revise and review the legislation. It was also created to recognize the social and economic elite. It was in part created to protect the property interests of the wealthy. There was some concern by our founding fathers that an elected body, the House of Commons, would not do so. Today we know that this is not true.

The Senate is broken and no longer works in the public interest. The House knows it and so do the Canadian people. We need to go beyond simply changing term limits of the Senate. The Senate needs fundamental change.

I became convinced of the need to abolish the Senate after witnessing the vote in the Senate in 2010 that killed Bill C-311, the climate change accountability bill. That bill would have required the federal government to set regulations to establish targets to bring greenhouse gas emissions to 25% below 1990 levels by 2020 and to set long-term targets to bring emissions 80% below 1990 levels by 2050. The government must take action on climate change. This bill would have been the first step toward setting hard targets to reduce our greenhouse gas emissions. However, it has become abundantly clear that the government did not want to deal with one of the most pressing issues of our time, so it arranged for the Senate to do its dirty work.

Bill C-311 passed the House of Commons. The bill passed at committee. The majority of members in the House at that time passed the bill, yet it was killed in the Senate. Let me repeat for clarity. The unelected, unaccountable Senate shut off debate and called a snap vote to kill important legislation passed in the House of Commons.

This was an outrageous move. Canadians were outraged by this move. It was the first time since before the Second World War that the Senate voted down a bill that won the support of the majority of the House of Commons. This move did not get the attention it deserved. It was a fundamental change in the way our democracy operates.

The Conservative government is not known for its transparency and adherence to democratic principles and now it has appointed enough senators to circumvent the democratic process.

Only a short few years ago, before they were in power, the Conservatives had very real concerns about the way the Senate operates. While the Prime Minister was in opposition he claimed that he would never appoint a senator. At that time he considered the Senate to be undemocratic, and the Prime Minister was correct. The Senate is undemocratic. It is why the people of New Zealand abolished the upper house, the legislative council, in 1951.

It is amazing how things change once someone gains power. Now that the Conservatives are in power, they have completely changed their tune and are using the unelected, undemocratic body to push through their legislative agenda.

The Prime Minister has appointed 36 Conservative insiders to the Senate since coming to power. In 2008 he broke a record by

appointing 18 people to the upper chamber in just one day. The Senate is now stacked with failed Conservative candidates, party fundraisers and political organizers. Let us not forget that this was the same *modus operandi* of the federal Liberal Party. It too stacked the Senate with friends and insiders.

A senator earns approximately \$132,000 a year. The qualification to become a senator now is to be loyal to the ruling party that appointed him or her.

• (1335)

The Senate costs approximately \$90 million a year to run. Taxpayers are paying a large sum for an unaccountable, unelected body in the Senate and for senators to block legislation passed by their elected representatives.

I believe it is time, through a referendum, that Canadians have a say on the future of the Senate. A referendum will open up a dialogue on the system in which far too many Canadians have lost faith. It will allow us to engage the population in an issue that is important to our very democracy.

It is time for an examination of democratic reform. It would show Canadians that we, as their elected House, care about their participation in our political system.

This is the third time the Conservatives have introduced legislation on an unelected Senate and legislation on Senate term limits. Each time the legislation died because of prorogation or dissolution of the House.

The NDP policy calls for abolishing the unelected Senate. It is fairly clear. It is a long-standing call that dates back to the 1930s. This policy has been constantly reaffirmed by the party. We want to maintain our position to abolish the Senate. We call on the government to hold a referendum, asking the Canadian public whether they support abolishing the Senate.

Who else has called for this? Let us look across the country. Both Ontario Premier Dalton McGuinty and Nova Scotia Premier Darrell Dexter openly have called for the abolishment of the Senate. The premier in my own province, B.C. Premier Christy Clark, has said that the Senate no longer plays a useful role in Confederation. Manitoba maintains its position on Senate abolition, although it does have plans, if this bill should pass, for Senate elections. Quebec has called this legislation unconstitutional. It has said that it will launch a provincial court appeal if the bill proceeds without consultation of the provinces.

The public supports the idea of a referendum for the Senate, and it is growing. For instance, an Angus Reid survey from July of this year shows that 71% of Canadians are in favour of holding a referendum to decide the future of the Senate and 36% of Canadians support the abolition of the Senate. That is up from 25% a year earlier. We can see the momentum is growing. There have been 13 attempts to reform the Senate since 1990 and all have failed.

The Conservatives have not properly consulted with the provinces about whether they agree with the content of the bill. When the bill was first introduced in June 2011, Conservative senators, even those appointed by the Prime Minister, pushed back against plans for Senate term limits.



*Government Orders*

Senators will remain unaccountable to the Canadian people. By only being allowed, by law, to serve one term, senators do not have to face the public or account for the promises they made to get elected or the decisions they took in the previous nine years, and they get a pension when they leave office.

Having an elected Senate will fundamentally change the nature of politics in Canada. It will create a two-tier Senate, where those who are elected will feel they have more legitimacy. Since the Senate has virtually the same powers as the House, an elected Senate would have greater legitimacy to introduce legislation or oppose bills sent to it from the House of Commons. We could end up with the kind of gridlock we have seen in the United States.

The safest and conservative approach to the Senate is to abolish it. We know how the House of Commons works, but we have no idea what will happen with an elected Senate.

• (1340)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I appreciate just how clear the member was about the NDP's position to abolish the Senate. I have had the opportunity to ask other members of his caucus about the potential of the Senate having some value. If a majority of Canadians supported it, would the NDP support abandoning its lifelong ambition to abolish the Senate.

My question is fairly simple and straightforward. If a majority of Canadians supported having a Senate, would the New Democratic Party stop pushing to abolish it if it were deemed there was some value to it? Or, no matter what happens in the referendum it called for, would its intention still be to abolish the Senate?

**Mr. Fin Donnelly:** Mr. Speaker, that is a good question. The premise of the question is hypothetical. We need to have a referendum to determine that. New Democrats have been calling for a referendum to determine the matter. I think Canadians would respect that if it went to them and they were engaged by being included in the discussion beyond the House.

We will look at the results when that happens, but at this time we need to have a referendum, hear from Canadians and consult with as many bodies as we can, including the provinces, territories and other organizations, to hear what they have to say on this important matter.

• (1345)

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, I am interested in my colleague's remarks. In the opening of his speech, he gave a graphic illustration of how the Senate was perhaps no longer just a useless institution, but actually acted as a barrier and obstacle to simple democracy.

The only environmental legislation that came out of the 40th Parliament and that wound up in the Senate was summarily dismissed. How many witnesses did the senators hear before they voted down the climate change legislation and how many days did they actually give it serious sober second thought before they destroyed it?

**Mr. Fin Donnelly:** Mr. Speaker, with Bill C-311, the climate change accountability act, what outraged so many Canadians was how it duly moved through the House, a momentous occasion when it finally passed at all stages. It then went to the upper house, where it should have received sober second thought. There could have been

witnesses called. My understanding is no witnesses were called, not a single person was heard. In fact, there was a snap vote. It was done in a way that it was defeated in no time at all. Unfortunately, after all that work, such good legislation, which would have been amazing for the country, was gone with the snap of fingers.

[Translation]

**The Acting Speaker (Mr. Bruce Stanton):** We have one minute left for a brief question and a brief answer.

The hon. member for Sudbury.

[English]

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, one thing I find very interesting about the bill is that if it were to pass, once elected, senators would never have to be accountable to the Canadian people again. They would have nine years, would serve their time and could make a whole bunch of promises, but at the end of the nine years, they would walk away. Would the member comment on that?

**Mr. Fin Donnelly:** Mr. Speaker, not only after that, they would get a pension. This is the kind of thing that turns the Canadian electorate off. Canadians want accountability. They have been demanding accountability. In fact, they want more representation in how elected officials are chosen, or selected or elected. They do not want to simply see appointments made where there is no accountability.

There is no way to be accountable to those who elect one into office. It is simply a matter of appointment. There is no way of letting that elected official know whether he or she is on track doing a good job or not. It is a term and he or she will serve it out regardless, and at a huge expense to the Canadian taxpayer.

**Mr. Malcolm Allen (Welland, NDP):** Mr. Speaker, I am pleased to join in the debate about Senate reform, albeit many of my colleagues, including the member for New Westminster—Coquitlam and the member for Dartmouth—Cole Harbour, earlier talked about our stated policy.

On questions earlier, the member from Edmonton talked about our being all over the map today. Let me be abundantly clear, and the New Democrats have been clear since the 1930s: we think the Senate should go, just as many other Commonwealth countries that took up the Westminster model decided over the years that their senates would go.

We need not look that far afield. We do not have to look to New Zealand, as my colleague talked about. We just have to drive down the 401 from this place to Toronto. Toronto no longer has a senate for Ontario. In fact, no province in this country has a senate anymore. They are all gone. The last time I checked, Alberta was doing quite well without that senate.

When I talk with my colleagues from Alberta, they say that not only is their economy humming, but with all the things that are happening, it is a great place to be. I was in Camrose two weeks ago and I concur; indeed, Alberta is a great place to be. It is humming along with just a legislative house and no senate. It did not need one. Everything seems to work without a hitch.

It brings me to a vivid thought I have in my mind. If I could hearken back to the days of Premier Lougheed and Premier Klein, I could just imagine Premier Klein saying, "Senate, this is what I need done", and the Senate saying to the Premier of Alberta, "Wait a minute, Premier Klein, we don't think so". I can just imagine the constitutional flummox that would have been. I can imagine Ralph standing up in Edmonton saying, "I don't think so".

What we are saying on this side is that we do not think we should keep the Senate, but we do not think it is up to us. We think it is up to Canadians. Let us let them decide. Let us put it to Canadians and ask them if they think the Senate is a valuable institution for us to keep. It is their institution, although when it was founded, it really was not about them as electors; as my friend from Cole Harbour said, it was the great unwashed, meaning supposedly us as members in the green chamber, and not them in the other place.

Clearly it was the landed gentry who said they needed to have sober second thought, just in case we did something absolutely ridiculous in this House and tried to send it along to Canadians.

I have great respect for all of my colleagues in the House. They do not do things that would be so ridiculous that we would need to send it to an unelected body for sober second thought, because quite clearly, that sober second thought is a myth.

Why do I say that? As my colleagues have rightly pointed out, when it came to Bill C-311 in the last Parliament, in which I had the great privilege to be a member, that legislation on climate change, regardless of what individuals thought in here, was passed democratically, as we would expect this institution to do, and duly presented to the Senate for sober second thought. I will agree with the "sober" part, but I do not think I could agree with the "second thought", because the senators did not give it a thought at all, not one. They simply said, "Goodbye. We do not want it. We will get rid of it. Done".

If senators were truly serious about their job, whether they liked the legislation or not, they had an obligation to look at the legislation, call witnesses about the legislation, critique the legislation, and ultimately, if they chose to, deny the legislation. That is their right.

However, to suggest that the Senate is somehow the chamber of sober second thought when the senators would not take the time to consider legislation is a slap in the face to the duly elected members. We are the duly elected members of this country, not the folks in the other place. Their actions did a disservice to their credibility, not individually, but as an institution that says it will take into consideration what the House has passed, take a look at it, investigate it, make a decision on it and, if we in the House agree, make some changes.

That has happened over the years. The Senate has indeed made some changes and sent legislation back to the House for changes. It

has happened, but in this case there was no second thought, sober or otherwise.

• (1350)

Ultimately, why do we have such a place? Does it live up to the reputation it supposedly has?

It is interesting to note what Senator Bert Brown said in his letter to his colleagues. Of course, it was not sent to all of the senators, only to those of the Conservative persuasion. That is because the other place has taken on the mantle of a partisan place, and I will speak to what the legislation says on keeping it a partisan place.

In his letter he said, and I quote:

Every senator in this caucus needs to decide where their loyalty should be and must be. The answer is simple; our loyalty is to the man who brought us here, the man who has wanted Senate reform since he entered politics, the Rt. Hon. [Prime Minister].

What happened to this place of sober second thought when the loyalty is to a Conservative caucus and to the Prime Minister of that Conservative caucus? What happened to the idea of standing back and reviewing legislation to give it that sober second thought?

In my view, it is not only diminished; it is destroyed by the very words of a senator appointed to the Senate by the Prime Minister. Clearly this senator has an understanding of where the intention is to go with this issue.

Regarding politicization in the legislation, the bill says that to run for the Senate one must be a member of a political party in the registered domain of the place one runs in, meaning either a territory or province. In other words, one could not run as an independent senator. It would seem that one would have to join a party in order to run.

We can wax poetic about the folks who are there: the ex-finance bagman of a political party, campaign managers and defeated candidates both Liberal and Conservative. It was used as a reward for those who stood aside to let someone new get a seat in the House or when a change in leadership gave different perspectives under different parties. People were rewarded by being sent to the other place. Now we are going to politicize this place, as much as all of us here know it is political anyway. Maybe the bill is just an admission that it truly is political.

Ultimately, if we are going to say that one must run for a political party to run for the Senate, how do we make those folks accountable?

As members, we are accountable. Under the Canada Elections Act we have to hold an election every five years, although usually it is shorter than that. In the last number of years it has been shorter; sometimes a Parliament lasts only a couple of years. We have to go back to the folks who allowed us to come to this place and ask them if they would like to send us back again. They have the ability to judge us on the things we have done. They can look at our record to decide if they like what we did and then support us, or not, once again.



*Statements by Members*

However, that would not be the case with this group. This group could promise the world during an election, and two things could happen. If the Prime Minister of the day liked the person, he or she would be appointed. If they represented the views of the Prime Minister and his caucus, they would be appointed.

However, we could also make the assumption that one could run and win an election in Alberta but not be appointed. There is no guarantee under the legislation that if elected, one would be appointed. The Prime Minister could simply refuse to make the appointment. One could wait six years and run again and still not get appointed. Therefore, even though the system down the hall in the other place is bad enough unto itself, we would make it worse.

It seems to me that if we want to reform the Senate, we should ask Canadians what they want. We should put it to them as to whether they want the other place. If they say yes, we should ask them what it should look like. We would then truly understand whether Canadians want it.

If the polls are right, more than 70% of Canadians say that the Senate's day has come. The sun has shone, and it is time to retire them all out of the chamber, roll up the proverbial red carpet and wish them all a Merry Christmas and a happy retirement.

• (1355)

That is exactly what we ought to do. We would be happy to help roll the first red carpet up as we let senators go on to whatever it is their lives will be, which is productive, prosperous and happy. We hope they enjoy the rest of their retirement.

**The Acting Speaker (Mr. Bruce Stanton):** The hon. member for Welland will have five minutes remaining for questions and comments when the House resumes debate on this motion.

**STATEMENTS BY MEMBERS**

[English]

**GENDER EQUALITY**

**Ms. Lois Brown (Newmarket—Aurora, CPC):** Mr. Speaker, earlier this year, the Minister for Status of Women announced Canada's support for an international day to promote girls' rights and address the challenges they face worldwide. On March 24, this chamber gave unanimous consent to Canada leading this effort at the United Nations. Yesterday in New York, the United Nations' third committee on social, humanitarian and cultural affairs passed a resolution to create an international day of the girl child.

• (1400)

[Translation]

If it is adopted, this international day will promote equal opportunities and equal treatment for girls in all regions of the world in terms of the law, nutrition, health care and education and training, and for a life free of violence and abuse. Canada has led this campaign for one reason: to bring about change in the lives of girls as citizens and as powerful voices for change within their families, their communities and their countries.

[English]

**PENSIONS**

**Mr. Malcolm Allen (Welland, NDP):** Mr. Speaker, across Canada, and particularly in the Niagara region, many are finding it increasingly hard to retire. Consecutive years of Conservative and Liberal neglect have allowed good job after good job to flee the Niagara region, often with the support of wasteful and ineffective tax cuts provided by both the Liberal and Conservative governments.

The result of this neglect was the destruction of many defined benefit pension plans and, of course, reduced individual contributions to CPP because of extended periods of layoff.

The Conservative awakening to the pension crisis in Canada would normally be a good thing. Unfortunately, the pooled registered pension plan they have put forward seems tailored more to the benefit of Bay Street than to ordinary Canadians. This PRPP is privately managed and requires individuals to invest their retirement savings in the very markets that caused a pension crisis in the first place. Of course, it is pretty tough to do if one is unemployed.

This is the perfect opportunity to remind my colleagues across the floor that it is not too late to adopt the New Democratic plan, one that would lead to the doubling of CPP, one of the safest and most effective pension plans in the world, ensuring that all Canadians can retire with dignity.

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**POLISH GYMNASTIC ASSOCIATION**

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Mr. Speaker, this past weekend I was honoured to join the Polish Gymnastic Association, Sokol Winnipeg, for its 105th anniversary celebration. I want to commend this organization for its extensive contributions to the Polish community and to Winnipeg.

Since it was founded in 1906, Sokol Winnipeg has established a broad range of educational, cultural, language and sports programs, establishing itself as an integral part of Winnipeg's Polish community.

I want to also recognize Marian Jaworski, who was honoured with an award by Sokol Winnipeg last weekend for his invaluable service to the Polish community. Mr. Jaworski founded the annual Sokol Days, which has become a summer festival favourite for all Winnipeggers. Also, he founded the Sokol Youth Club and the Sokol Acrobatic Rhythmic Dance Club, equipping a whole new generation with Polish culture.

I invite all members to join me in congratulating Mr. Jaworski and the members of the Polish Gymnastic Association.

## SUDAN

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, while we celebrate the independence of South Sudan, this should not obscure the triangular threat and assault by the Khartoum government, including: the onslaught against the Nuba Mountain people in South Kordofan; the invasion of Abyei, with the denial of its independence and the driving out of the Dinka African tribe; and the attacks on the Blue Nile; the whole with a view to creating a new north-south border incorporating the southern oil fields in the north, while the violations in Darfur continue unabated.

Accordingly, we call on the militarized regime in Khartoum to cease and desist its ongoing assaults and criminality. We call on the Canadian government to list the regime as a terrorist entity, and to work to bring the indicted war criminals, President al-Bashir of Sudan and Military Governor Ahmed Haroun, to justice.

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## UKRAINE

**Mr. Peter Goldring (Edmonton East, CPC):** Mr. Speaker, for most of the past 80 years the silence has been near complete, stifled behind a Soviet curtain of iron, ne'er to be spoken aloud, the enormity of the deliberate annihilation, unknown to the world, while Europe's bread was made from the bountiful crops stolen by Stalin from Ukraine.

Eight million perished, murdered by forced starvation in the Holodomor, the genocide of Ukraine. Then freedom was ushered in with celebrations of independence, the Soviet yoke of servitude and dictated silence lifted. The world must be told of the Holodomor, of Ukraine's genocide of such unimaginable horror in a land of such great plenty.

Civilization's failure must be put on permanent public display so that all can see the dark side of humanity and hopefully learn not to repeat.

We remember today, and for all time, the Holodomor, the genocide in Ukraine.

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## HUMAN RIGHTS

**Ms. Niki Ashton (Churchill, NDP):** Mr. Speaker, the need for greater equality is a defining issue for us as Canadians. Achieving greater equality is a key element of the new politics for our country. It is critical we put forward a broad vision that recognizes the underlying structural causes behind the growing inequality in Canada.

Canadians reject the old politics of the government that see poverty and inequality as a fact of life. We need to recognize the feminization of inequality, with women receiving only 78% of the male dollar, and fight for true gender equality. We must act to stop the racism and discrimination that are at the roots of inequality in our society. We must recognize the poverty facing aboriginal people and put an end to the third world conditions that they face. We must recognize the degree to which the erosion of collective bargaining and the right to organize affects workers' salaries and pensions. We must understand that foreign takeovers of our economy have eroded

*Statements by Members*

not only the ability to control our destiny but our standard of living as well.

Greater equality is key to our ability to grow and prosper as a country, our country, Canada.

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● (1405)

## THE ECONOMY

**Mr. Rick Dykstra (St. Catharines, CPC):** Mr. Speaker, I am glad I have a chance to respond to the positive aspects of Niagara versus what my colleague from Welland mentioned earlier in his statement.

While Canada's economic recovery is the strongest among G8 nations, we remain vulnerable to an unpredictable global economy. In the past, this meant St. Catharines and the Niagara region would be the heaviest hit by job losses. However, under our government, the unemployment rate in St. Catharines and Niagara has declined each and every month so far in 2011. This is a direct result of our government's economic investment strategy in St. Catharines and Niagara. With previous governments, St. Catharines and Niagara was not a priority. However, with this government, we have seen targeted investments in job-creating building projects like the replacement of the Burgoyne Bridge and the widening of the QEW.

With Brock University's Health and Bioscience Research Complex ready to go, we are acting in Niagara and we are responding to the needs of the community.

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## UKRAINE

**Mr. James Bezan (Selkirk—Interlake, CPC):** Mr. Speaker, between 1932 and 1933, millions of Ukrainians perished in the former Soviet Union at the hand of Joseph Stalin's man-made famine in Ukraine. This crime against humanity is known as the Holodomor and this week we observe the 70th anniversary of this tragic event.

In an effort to destroy Ukrainian nationalism, Stalin created a famine in Ukraine which starved tens of thousands of Ukrainians to death each and every day. For far too long, the Holodomor was covered up and to this day many continue to deny its existence. By educating one another on the genocide that occurred, we can stop the mistruths that deny Holodomor victims the respect they deserve and help prevent future genocides.

In 2008, this Parliament supported my private member's bill which recognized the Holodomor as genocide and designated the fourth Saturday of every November as Holodomor Memorial Day. I commend this House for taking a moral and honourable stance in recognizing that atrocity as a genocide.

By implementing this famine, Stalin's goal was to crush Ukrainian nationalism. As a member of Canada's Ukrainian community, I can proudly say he failed.



*Statements by Members**[Translation]***INTERNATIONAL FORUM ON THE SOCIAL AND SOLIDARITY ECONOMY**

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, I would like to draw attention to the success of the International Forum on the Social and Solidarity Economy, which was recently held in Montreal.

More than 1,300 people from 65 countries participated in discussions about how to do business differently, by putting people at the heart of their companies. As Ms. Neamtan, director of Chantier de l'économie sociale, said, "The economy is not just about profit and market speculation... It can and must take different forms; the economy is not an exact science but a human experiment. We can and must make choices about how to bring about economic development."

During the forum, those involved in the social economy reiterated the need for public authorities to give them the means to ensure that development respects the needs of communities.

At a time when people around the world are rising up to demand an economy that serves the people, I feel it is crucial that we listen to those involved in the social and solidarity economy.

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*[English]***HOUSING**

**Mr. Joe Daniel (Don Valley East, CPC):** Mr. Speaker, I rise today to celebrate National Housing Day and the accomplishments of those who are working to create affordable housing solutions throughout our country. Our government is helping those seeking to break free from the cycle of homelessness and poverty.

In September 2008, we committed more than \$1.9 billion over five years for housing and homelessness. Currently, there are over 14,000 projects completed or under way through Canada's economic action plan. In addition, this year alone we will invest more than \$2 billion in housing through CMHC.

Local challenges need local solutions, which is why we are partnering with industry and organizations across the country. A new framework agreement was announced with the provinces and territories in July this year. That translates into over 50,000 housing units across Canada.

Our government believes that all Canadians deserve a stable, safe and affordable place to call home.

\* \* \*

● (1410)

**THE ENVIRONMENT**

**Mr. Kennedy Stewart (Burnaby—Douglas, NDP):** Mr. Speaker, in a speech delivered to the Canadian Energy Pipeline Association, the Minister of Natural Resources stated:

The new Enbridge Northern Gateway project and expansion of Kinder Morgan's Trans Mountain system are currently under review by the joint panel.

Joint panel reviews combine a full National Energy Board oral hearing with the stringent Canadian Environmental Assessment Agency review panel.

We on this side of the House continue to call for maximum public input on any pipeline projects and are pleased the government has heeded our calls and committed the Enbridge and Kinder Morgan projects to the most stringent reviews possible.

As the Trans Mountain project is slated to run through my riding of Burnaby—Douglas, I have surveyed constituents; commissioned a province-wide poll; and met with dozens of stakeholders from industry, first nations and municipal governments, many of which oppose the Trans Mountain expansion. Only by carefully listening to those most impacted by the projects will we be able to develop constructive solutions and move our economy forward.

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**JUSTICE**

**Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC):** Mr. Speaker, Canadians are rightfully concerned when the practice of polygamy is exposed in this country. We believe polygamy has no place in modern Canadian society. Our government firmly believes that the Criminal Code prohibition against polygamy is consistent with Canadian values, as well as compliant with the Canadian Charter of Rights and Freedoms.

We also believe that this prohibition created by Canada's elected representatives should be upheld. This is why our government has vigorously defended the prohibition against polygamy in the Criminal Code.

Polygamy is a practice which inevitably leads to the exploitation of women, sometimes even young girls, who have no other choice. This is unacceptable to our party and to our government. We have already acted to raise the age of consent from 14 to 16 years of age and currently have legislation before this House which would crack down on a wide variety of child sexual offences. I would like to assure all Canadians that they can count on us to stand up for their values and for Parliament's role in making laws which prohibit practices that conflict with those values.

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**UKRAINE**

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, this week, we remember Ukrainian men, women and children who lost their lives during the Holodomor. Between 1932 and 1933, under the directive of Joseph Stalin, millions of innocent people died as a result of poor living conditions and starvation. Once known as the breadbasket of Europe, Ukraine was forced to give up its grains to the Soviet regime, under an imposed system of collectivization that devastated the country.

Today, the Ukrainian community plays an integral role in Canada's vibrant culture and has no doubt been an important part in the development of our nation.

This week has been officially declared by the Ukrainian Canadian Congress as the National Holodomor Awareness Week.

In Winnipeg, the Canadian Museum of Human Rights is set to open its doors in 2012. I, with many others, look forward to seeing a permanent display of the Holodomor. It is my sincerest hope that through means such as the Human Rights Museum, people will be better informed of these past tragedies because it is so important that we never forget the genocide that occurred.

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#### TRADE

**Mr. Gerald Keddy (South Shore—St. Margaret's, CPC):** Mr. Speaker, today, at the international trade committee, we heard from an anti-trade special interest group that wilfully ignored the jobs and prosperity that are created through deeper trade. It is shameful that the NDP lauded this group instead of standing up for Canadian workers and their jobs. However, that is not surprising. Just last week, NDP MPs took an anti-trade junket to Washington to lobby against tens of thousands of Canadian jobs. This week, they are lauding anti-trade special interest groups at the trade committee during our study of the EU free trade negotiations.

The NDP and its special interest groups ignore the benefits to Canadian workers and businesses from a free trade agreement with the European Union: a 20% boost in bilateral trade; a \$12 billion annual boost to Canada's economy; a \$1,000 increase in the average family's income; and almost 80,000 new jobs created.

With one in five Canadian jobs generated by trade, it is no wonder Canadians gave us a strong, stable, majority government.

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[Translation]

#### ASBESTOS

**Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP):** Mr. Speaker, the Prime Minister's position on exporting asbestos is immoral and is tantamount to exporting disease. Experts around the globe are saying so, Canadians are saying so, many associations in Quebec are saying so, and more and more Conservative members are also saying so. But they are saying so quietly and secretly, because they are afraid of their own boss.

Those Conservatives are betraying their consciences and their constituents. Those members were elected on the promise that they would change Ottawa, but instead, Ottawa has changed them. They have abandoned their ideals and have become exactly what they despised: politicians who are out of touch with reality and who have to suppress what their own conscience tells them to do.

\* \* \*

• (1415)

[English]

#### NEW DEMOCRATIC PARTY OF CANADA

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Mr. Speaker, the economic policies of the NDP are truly disappointing. Rather than supporting our government's economic action plan to create jobs, the NDP supports policies that would be devastating to our economy.

#### Oral Questions

Last week, members of the NDP caucus were in Washington protesting against our energy sector while here at home they chose to vote against the budget implementation act.

Canadians gave our Conservative government a strong mandate to stay focused on what matters: creating jobs and economic growth.

Key tax relief measures passed yesterday include the family caregivers tax credit, the children's arts tax credit, the volunteer firefighters tax credit, tax relief for the manufacturing sector, tax relief for small businesses when they create jobs and making the gas tax fund permanent.

While the global economy is still fragile, we remain focused on what matters: a low tax plan to create jobs and economic growth, a plan that is working.

The NDP's fiscal policies are yet another worrying example that the NDP—

**The Speaker:** Order, please. Oral questions. The hon. Leader of the Opposition.

### ORAL QUESTIONS

[English]

#### HEALTH

**Mrs. Nycole Turmel (Leader of the Opposition, NDP):** Mr. Speaker, the 2014 Canada health accord negotiations will finally begin this week, discussions the NDP has been calling for since before the election.

Universal health care is dear to Canadians. It is the single most important element of social and economic justice in the country, a symbol of the Canadian value of taking care of each other.

My question is for the Prime Minister. What role will the Canadian public have in these discussions?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I agree with the Leader of the Opposition that health care is probably the most important service that governments provide to the Canadian people. The Canadian people value that service.

Obviously, all governments are struggling with the increased costs we see over time. That is a discussion that I think will engage all Canadians over the next couple of years.

[Translation]

**Mrs. Nycole Turmel (Leader of the Opposition, NDP):** Mr. Speaker, it is the federal government's responsibility to help the provinces improve their health care systems and to do so within the parameters of the five principles, which are: universality, public administration, accessibility, portability and comprehensiveness.

The Prime Minister must commit to reaching a new 10-year health care agreement, including 6% indexation so that the provinces and territories know what to expect in the long term.



### Oral Questions

Will the Prime Minister commit to that?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, health care is the most important service that governments provide to the Canadian people. All governments are struggling with the increased costs and that is an issue we will discuss when we talk about how to maintain these programs in the future.

[English]

**Mrs. Nycote Turmel (Leader of the Opposition, NDP):** Mr. Speaker, since the last accord was signed there has been little progress on wait times or primary care reform, a failure to hire enough doctors and nurses, a failure on pharmaceuticals, a failure on home care and a near complete failure on reporting results.

Where is the plan for improving health care now?

With two years still to go, will the Prime Minister finally take health care seriously and deliver results now on the current health agreement?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I think most Canadians recognize that the delivery of health care is principally a provincial responsibility. The principal role of the federal government has been to support it through the transfer system. Of course, under this government, we are giving a record amount of money for health care.

I agree that there are some gaps in terms of accountability and results, and those are things we are encouraging the provinces to look at as we approach 2014.

\* \* \*

### EMPLOYMENT

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, the Auditor General's report speaks of "chronic and widespread" mismanagement that contradicts the government's claim about the economic action plan.

The government cannot say how many jobs were created after having spent \$47 billion of Canadians' money.

The program was so badly monitored that no one knows if it was effective. We now know that 72,000 full-time jobs were lost last month, thanks to the policies of this government.

Now that the truth is out, when will this government put aside bogus and unsubstantiated job claims and take real and immediate action to create jobs here in Canada for Canadian families?

• (1420)

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, the positive impact of the economic action plan, which the official opposition voted against, can be seen in the almost 600,000 net new jobs for Canadians since the end of the recession. It was a good plan. It worked. It is regrettable that the NDP chose to vote against it.

Here is what the Auditor General actually said:

The government did a good job of monitoring progress and spending in three programs funded under the Economic Action Plan....

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, it is not bogus job claims that will get the government out of this mess.

Here is what the Auditor General said:

The lack of reliable performance information on job creation will make it difficult for the government to assess the...effectiveness in meeting one of its key objectives.

The government and the Canadian public cannot compare the goals of the Conservative plan with the outcome. That is actually what good managers do: goals, outcomes, matching it up. They did not do it. There is no monitoring. There is no transparency.

Why the lack of monitoring? Why the lack of transparency? Why did the government not get the job done?

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, as my hon. colleague has indicated, this economy has created nearly 600,000 net new jobs under this government, under the economic action plan, which, as my colleague, the minister, indicated, has been praised by auditors general, and Canadians agree with that. They gave us not only strong praise but a strong mandate to protect and complete Canada's economic recovery.

They, on the other side, of course, call for higher taxes that would kill jobs and hurt the economy. Our plan is to keep taxes low, to focus on jobs and to grow the economy. I think Canadians agree with us.

[Translation]

**Hon. John McCallum (Markham—Unionville, Lib.):** Mr. Speaker, some quotes from the Auditor General, "Farmers can wait up to two years for a payment". The government does not know "if a visa was issued to someone who was in fact inadmissible". In terms of military equipment maintenance, "the department does not track the full costs of maintenance and repair activities".

Why is this Prime Minister running such a disorganized government?

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, as I have already said, thanks to the government, the Canadian economy has nearly 600,000 more jobs.

[English]

We accept the findings of the Auditor General. The Auditor General has made some good findings and some good recommendations, which we are already working on.

The fact is that when we look at the state of the economy and the state of our moves to ensure we are a help rather than a hindrance, this government has gotten it right and the Auditor General agrees with us on that.

## HEALTH CANADA

**Hon. John McCallum (Markham—Unionville, Lib.):** Mr. Speaker, that Muskoka minister has 50 million reasons to be disorganized.

The Auditor General has revealed:

Health Canada is slow to act on potential safety issues related to drugs already on the market.

He stated further:

It sometimes takes more than two years to complete an assessment and provide Canadians with updated safety information.

All rhetoric and politics aside, how can the Prime Minister tolerate such a sloppy approach to the health of Canadians. What will the government do today to fix this critical problem?

**Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC):** Mr. Speaker, our government agrees with the Auditor General's findings and work is already under way to address those recommendations.

My department is making improvements on how Health Canada responds to concerns about products that are on the market. The health and safety of Canadians is a priority for our government and we are putting processes in place to ensure that the products on the market are safe, efficient and reliable for all Canadians.

**Hon. Hedy Fry (Vancouver Centre, Lib.):** Mr. Speaker, the Auditor General makes it crystal clear that the government failed to meet its own standards for reviewing the safety and effectiveness of drugs at all levels, pre-clinical, clinical trials and post-market risk assessment.

In fact, the Auditor General found that the department takes over two years to inform the public of unsafe drugs on the market.

Will the minister admit that this failure endangers patients' lives and will she commit now to provide the funds and resources necessary to report drug risks to the public promptly?

• (1425)

**Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC):** Mr. Speaker, as I said before, we agree with the Auditor General's findings.

My department is making improvements on how Health Canada responds to safety issues regarding drugs on the market. For example, our government has invested in drug safety and, in fact, the network MedEffect was created by our government a year or two ago and \$32 million were invested to support that initiative.

\* \* \*

[Translation]

## AUDITOR GENERAL'S REPORT

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, the Auditor General's report has confirmed what the NDP has been saying for quite some time. The Conservatives have a habit of being opaque. They ignore evidence, reject the advice of experts and are not accountable to Canadians. The Auditor General said "that poor information is a widespread, chronic problem in the federal government."

## Oral Questions

How can Canadians trust the President of the Treasury Board, a minister who refuses to explain his fiascos and who is unable to provide job figures for the \$47 million in investments and expenditures? He should not bring up 600,000 jobs because that is hogwash.

[English]

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, as the government has indicated in its response, the Auditor General has brought forward some helpful recommendations and we have accepted them. In fact, we are already working on implementing a number of these.

However, the facts are the same. We have been helping to ensure that our economy is moving away from the recession and toward complete recovery. We have nearly 600,00 net new jobs in this economy as a result of our activities and our actions.

On the other side of the chamber, they continue to demand higher taxes that are job killers. We want them to come on our side and say that they agree with jobs—

**The Speaker:** The hon. member for Trinity—Spadina.

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## INFRASTRUCTURE

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, is the President of the Treasury Board not supposed to stay quiet when the Auditor General's report comes out?

Even though the Conservatives deny it, too many Canadians are out of work. Today we learned that during the last round of infrastructure funding, the Conservatives were not even tracking how many jobs were being created.

What criteria did the government use to determine which projects to fund? How can we trust it to tackle the infrastructure deficit and put Canadians back to work?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, at the request of the opposition we have delivered a series of reports following up on the economic action plan. To keep Canadians informed, there will be one more final public report on the delivery and economic impact of the economic action plan which will build on the five previous reports.

One fact is clear: there are 600,000 net new jobs in Canada since the end of the recession. The economic action plan was the stimulus for that.

\* \* \*

## HEALTH

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, today the Auditor General revealed that Health Canada can take more than two years to evaluate safety issues associated with the use of prescription drugs. The report also highlights that Health Canada is falling short on conflict of interest rules. This is completely unacceptable when so many new drugs are available and Canadians need adequate, timely and transparent information.



### Oral Questions

Drug safety is important to all Canadians. Exactly how does the government and the minister plan to reduce the delays that are happening? We have not heard anything specific from the minister today. I ask her to tell the House how she plans to reduce these delays.

**Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC):** Mr. Speaker, as I stated earlier, my department is implementing the advice of the Auditor General. The Auditor General was very clear in his statements today that there were no cases of conflict of interest; however, we do agree that additional conflict of interest rules should apply to those who review drugs.

[Translation]

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, we still have not been given an answer. Once again, the government has missed the boat.

The Auditor General said that Health Canada does not have a uniform mechanism for monitoring clinical trials of prescription drugs for the most vulnerable, such as children. Other countries receive industry data on adverse drug reactions in children. However, the Conservatives have not bothered with this requirement, which would protect Canadians' health. That is irresponsible.

When will the Minister of Health require pharmaceutical companies to disclose this vital information to protect children who depend on these drugs?

• (1430)

[English]

**Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC):** Mr. Speaker, again, I agree with the Auditor General's recommendations on the department in strengthening its approach to clinical trials. New procedures are being put in place to improve transparency, and to better monitor clinical trials and adverse reaction reports.

To strengthen the pharmaceutical drug program, a new IT system has also been put in place to help better identify potential safety concerns. The audit is from 2009-10, so we have acted on a number of the recommendations already.

\* \* \*

[Translation]

### NATIONAL DEFENCE

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, this morning, the Auditor General repeated what the NDP has been condemning at National Defence, namely that the department is broken. Decisions are made without having the necessary information on long-term costs, there is no proper follow-up on overall maintenance and repairs, and major contracts are awarded to a limited number of suppliers.

Is the government going to continue to have its head in the clouds, ignore the facts and keep telling us that everything is fine?

[English]

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, we appreciate and thank the Auditor General for his work. The department has accepted his recommendations and is

already addressing each concern. A comprehensive plan is in place with activities under way, and our government has committed to providing our brave men and women in uniform the equipment and support necessary to do their jobs safely and effectively.

**Mr. Matthew Kellway (Beaches—East York, NDP):** Mr. Speaker, three elections promising fiscal responsibility followed by six years of fiscal mismanagement and the government continues to miss opportunities to save money and improve accountability. The Auditor General said there is a gap between the money needed for military maintenance and what is available.

Does the Auditor General's discovery of mismanagement come as a complete surprise to the minister, or can he explain to Canadians why his department is failing to give our soldiers properly maintained military equipment?

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, as I indicated, we appreciate and thank the Auditor General for his work. Many of the recommendations have already been implemented. We are working actively on all of these issues and have been for quite some time. We intend to continue to ensure that our men and women receive the best equipment necessary to do their jobs and do so keeping in mind taxpayers' concerns about all spending.

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### AGRICULTURE

**Mr. Malcolm Allen (Welland, NDP):** Mr. Speaker, in 2005 when talking about the CAIS program, the Prime Minister said, "It is complicated. It requires an army of accountants—". He promised to fix it, but AgriStability changed nothing. It is just as complicated and even more expensive for farmers.

The Auditor General reported today that some farmers are waiting up to two years for payment. When will the government fix this broken program and make it work for all Canadian farmers?

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC):** What the member opposite should recognize, Mr. Speaker, is that the vast majority of the AgriStability program is delivered at the provincial level. What we do is transfer moneys when there are bills presented from the provinces. If he has a problem, he should probably take it up with his counterparts in Ontario.

\* \* \*

### TOBACCO INDUSTRY

**Mr. Malcolm Allen (Welland, NDP):** That is the off-load of the day, I think, Mr. Speaker.

The AG reported that the tobacco transition program failed because it was rushed out the door and had loopholes as big as a combine. By 2010 the number of tobacco farmers had doubled. There were \$300 million spent to reduce tobacco production and yet it did the exact opposite.

When will the government stop mismanaging important agricultural files and what has it done to get to the bottom of this fiasco?

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC):** Mr. Speaker, we welcome the input from the Auditor General on this particular valuable program for farmers in Ontario. The member opposite should know one does not combine tobacco. That is why New Democrats have no real good farm programs. They get it all mixed up and completely turned around.

Again, what we did was come to the aid of the tobacco growers in Ontario. We kept them fluid. We allowed them to transition into other programs and the province has taken over the responsibility of licensing tobacco production.

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#### CITIZENSHIP AND IMMIGRATION

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, the Auditor General today reported that immigration officials are not adequately managing health and safety risks regarding visas. He said that officials lack the right tools and training, and decisions are rarely reviewed. Health screening has not changed in 50 years and one key manual was last updated in 1999. The audit concluded that we need a better strategy to protect the health and safety of Canadians. CIC has to get with the times.

Will the minister finally implement the quality management system recommended over 11 years ago?

• (1435)

**Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC):** Mr. Speaker, I am truly delighted to hear the NDP, for the very first time, raise a concern about security and health screening in the immigration system. I would like to congratulate the member for Vancouver Kingsway for his concern about this, which I share and which is why our government has made significant investments in improving security screening.

We accept all of the Auditor General's recommendations. We think they are very constructive and, in fact, my department is already working with our security partners and the Public Health Agency to put those measures in place.

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#### FOREIGN AFFAIRS

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, as one committed for some time to expanded sanctions on the Iranian regime, particularly in the financial and energy sectors, I am pleased that the government has now acted. However, as the government knows, the Iranian Islamic revolutionary guard corps has emerged as the epicentre of the nuclear weaponization program of international terrorism from Argentina to Afghanistan and massive domestic repression.

#### Oral Questions

Will the government list the Iranian Islamic revolutionary guard corps as a terrorist entity under Canadian law as unanimously recommended also by the foreign affairs committee, which tabled its report in the House?

**Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC):** Mr. Speaker, our latest expansion of sanctions against Iran prohibit almost all financial transactions with the Iranian government. They add individuals and entities to the list of designated persons and expand the list of prohibited goods. We are taking aggressive action to cover the known leadership of the Iranian Islamic revolutionary guard corps and block virtually all transactions with Iran, including those with the central bank.

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#### NATIONAL DEFENCE

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, Canada already has an expensive advanced Satcom system. Therefore, I have a \$.5 billion question for the minister.

Now that he has had 24 hours to find the right briefing notes, can he tell us whether the industrial benefits of Canada's participation in the U.S. military's Satcom network will be subject to ITAR and buy American? For his and our edification, can he tell the House the meaning and significance of the ITAR provisions in the context of this contract?

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, I do not know if sarcasm will advance the legitimacy of what we are doing in this government.

Operations in Afghanistan and Libya have proven that an advanced secure exchange of information is critical to the success of modern military operations. The Canadian contribution to this international partnership will guarantee our Canadian Forces access to high capacity military communications for the future.

Our investment fits with the Canadian Forces existing budget and 100% of its value will be invested in creating skilled Canadian jobs across the country.

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[Translation].

#### JUSTICE

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Mr. Speaker, Quebec's minister of justice came to Ottawa today, sincerely hoping that the federal Minister of Justice would be willing to listen to what he had to say about Bill C-10, dealing with criminal justice. Instead, he got a slap in the face.



### Oral Questions

Is the government listening? Does it realize that it is jeopardizing Quebec's approach to rehabilitation for young offenders? This government is disrespectful. Is it prepared to be reasonable?

[English]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I am always glad to welcome my colleagues from across the country. When the minister of justice from Quebec asked for a meeting on Monday or Tuesday, I was pleased to accommodate him.

I pointed out to the minister, as I have pointed out to the House on a number of occasions, that there is absolutely nothing in Bill C-10 that would in any way compromise or prohibit the province from reaching out and helping to rehabilitate young people. The bill concentrates on a small group of out of control young people who are a danger to themselves and to the public, and this is why it should have the support of all members of Parliament.

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### FIREARMS REGISTRY

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, Canada's Information Commissioner has warned the government that its bill to scrap the long gun registry and delete millions of records would violate the letter and the spirit of the Library and Archives of Canada Act. This irresponsible and illegal move would get rid of records of not only shotguns and rifles but also semi-automatic and assault rifles.

The association representing Canadian archivists wrote the Minister of Public Safety telling him that destroying records for political expediency and ignoring existing legislation sets a very dangerous precedent.

Why are the Conservatives willing to break the law by destroying millions of records?

● (1440)

**Hon. Vic Toews (Minister of Public Safety, CPC):** Actually, Mr. Speaker, we are changing the law in order to get rid of the long gun registry, which is comprised of data that targets law-abiding Canadian citizens, including hunters, sport shooters and others.

We have consistently opposed this wasteful and ineffective measure which does nothing to keep guns out of the hands of criminals. We do not want to keep records on law-abiding citizens the way that the NDP does. We are carrying out the promise that we made to the Canadian people.

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### JUSTICE

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, on crime it is clear that the Conservative government would rather ram through its wrong-headed prisons agenda than work together with the provinces, crime experts, or even its own Crown prosecutors.

New Democrats are proposing changes to focus on rehabilitating young offenders, not just throwing them in prison and forgetting about them. Good rehabilitation lowers costs, reduces repeat offenders, and makes our communities safer.

Why is the government opposed to these reasonable amendments?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I appreciate that the hon. member is new to the file, but this legislation has been before Parliament for quite some time. We have listened to our provincial counterparts with respect to pre-trial detention, adult sentences, and deferred sentencing.

The bill targets a small group of out of control young people who are a danger to the public and a danger to themselves, as was identified in the Nunn report.

I hope the hon. member for once would get on board and support this important piece of legislation.

[Translation]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, Quebec's minister of justice is leaving Ottawa upset after another unsuccessful attempt to convince this government to amend its crime bill.

The Conservatives refuse to consider the amendments called for by Quebec, yet they are unable to provide any expert study. All they are providing are the minister's personal observations. Quebec is simply asking the government to listen to the experts and take the time to do things properly.

Why is this government bent on doing the opposite?

[English]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, why is the NDP so bent on opposing everything we do to crack down on crime in this country? That is a good question for the hon. member.

The hon. member says it is not based on studies. We looked very closely at the Nunn report that came out of Nova Scotia that identified some deficiencies within the Youth Criminal Justice Act. I very much appreciate the response and the input that we have had right across this country.

Somebody asked me why the Liberals are always yelling. It is because nobody ever listens to them.

[Translation]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, I suppose that is why, this morning, during the first hearings on the clause-by-clause review, we adopted half of the first 100 clauses in the bill. And the government says we do not support some parts of the bill.

What Quebec is asking is simple and reasonable. Its approach to rehabilitating young offenders is working. Moreover, a majority of provinces refuse to have to foot the bill for senseless reforms. Quebec's minister of justice feels betrayed. He says he is dealing with a Reform Party government, not with the Government of Canada.

When will this government stop making ideological decisions and do what the majority of Canadians—

**The Speaker:** Order, please. The hon. Minister of Justice.

[English]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, again, I will point out that a number of the recommendations and changes to that bill have come directly from provincial attorneys general. In fact, the most recent amendment we have taken comes straight from the minister of justice of Quebec, with respect to changing the words from “encourager” to “favoriser”. This recommendation was made by the minister of Justice of Quebec.

We are happy to comply, but again the bill has been before Parliament for quite some time. We have had quite a bit of input and for once it should have the support of the NDP.

**Mr. Blaine Calkins (Wetaskiwin, CPC):** Mr. Speaker, our government is committed to putting actual criminals behind bars. Canadians who have been the victim of a crime should not be re-victimized by our justice system. Canadians are rightfully concerned when law-abiding citizens are unfairly arrested or even charged for simply defending their property from criminals. This is unacceptable to our government.

While the opposition is obstructing and delaying legislation that cracks down on drug dealers, pedophiles and arsonists, our government is putting the rights of law-abiding citizens ahead of the rights of criminals.

Could the Minister of Justice please inform the House how our government is acting to further protect law-abiding Canadians?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I had the pleasure today of introducing the citizen's arrest and self-defence act.

The member is correct that Canadians are rightfully concerned when law-abiding citizens are re-victimized by the justice system simply for defending their property. While Canadians should contact the police if their property or personal safety is threatened, we recognize that it is not always feasible in the circumstances. The legislation we introduced today expands, simplifies and clarifies the laws when individuals need to respond to immediate threats.

I know the opposition is focused on farmers and duck hunters, but this should have its support for a change.

\* \* \*

● (1445)

## THE ENVIRONMENT

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, climate change talks start next week in Durban and the government cannot seem to get its stories straight. First, it claims to be committed to the environment, but then it muzzles its scientists. Then it claims to target redundancies in the system, but we have a senior government official who says that there are no redundancies. Therefore, we know we will be a laughingstock at Durban because we cannot even get the job done at home.

When will the minister realize that he is the Minister of the Environment and actually take action on the government's appalling environmental record?

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, I welcome my colleague back from her treacherous

## Oral Questions

adventure abroad. I am sure Canadian workers and our resource industries will rest much more quietly now that she is back in this place.

Canada goes to Durban with a number of countries sharing the same objectives, and that is to put Kyoto behind us and to encourage all nations and all major emitting countries to embrace a new agreement to reduce greenhouse gas in a material way.

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, there is a hole in the ozone above the Arctic that is twice the size of Ontario and the government's solution is to muzzle the scientists who found the hole and slash the budget of the people who monitor it. This hole is allowing harmful ultraviolet rays into our communities. Therefore, this is about protecting our children and our grandchildren.

When will the minister put down his talking points, listen to the scientific community and his own advisors and become the Minister of the Environment? It is never too late to learn.

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, I thank my colleague for those gracious words and I will reassure her again that my department, Environment Canada, will continue to monitor ozone. I would remind her, in this week when parties to the Montreal protocol were so effective in addressing contaminants in the atmosphere that depleted ozone, that Canada is once again taking a leadership role.

[Translation]

**Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP):** Mr. Speaker, the former Conservative environment minister said yesterday that Canada must improve the oil sands' environmental record. Jim Prentice said it himself: to do so will require work and investments.

If nothing is done, we risk losing access to markets such as Europe and the United States.

When will this government come up with a plan for the sustainable development of our resources?

[English]

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, the opposition, and I have said this many times in the House, should celebrate Canada as an emerging clean energy superpower.

If I could offer my colleague a quote from the former minister yesterday, he said:

I think there's been substantial progress made, but I think as events have unfolded, both in the United States on Keystone and on other issues, it highlights how important it is that Canada be not only a producer of energy, but an environmentally responsible producer of energy.



### Oral Questions

[Translation]

**Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP):** Mr. Speaker, it is not an environmental activist who said this but a former Conservative environment minister who is calling for a sustainable plan for oil sands exports. On Monday, he even said that Alberta's oil sands industry has an extremely negative reputation on the world stage. He added that it was important that Canada be not only an energy producer but an environmentally responsible energy producer.

Will the government listen to its former environment minister?

[English]

**Hon. Joe Oliver (Minister of Natural Resources, CPC):** Mr. Speaker, the NDP should know that it is always risky to alienate one's political base, but especially when one is in pre-merger discussions.

I will list the labour unions which support Keystone because it will create thousands of jobs, and I may run out of time. The list includes the International Union of Operating Engineers, the Laborers' International Union of North America, the International Brotherhood of Teamsters, the International Brotherhood of Electrical Workers, the Building and Construction Trades Department, AFL-CIO, the United Association of Journeymen, Apprentices of the—

• (1450)

**The Speaker:** I am afraid the hon. minister is out of time.

The hon. member for Random—Burin—St. George's.

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### SEARCH AND RESCUE

**Ms. Judy Foote (Random—Burin—St. George's, Lib.):** Mr. Speaker, just days before the Minister of Fisheries and Oceans was in St. John's, where he refused an invitation to visit the Maritime Rescue Sub-Centre, members of the Canadian Marine Advisory Council, the body Transport Canada consults on marine safety, were signing a petition in Ottawa, calling on the government to rescind its decision to close the centre.

Since the Minister of Fisheries and Oceans will not visit the centre, see the operation first hand and see the need to keep it open, I ask the Minister of Transport, Infrastructure and Communities to do so and stop this reckless move.

**Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, the member's question has been addressed thoroughly. The efficiency measures under way will maintain the present levels of marine safety and service. The member may be forgetting, however, that while Liberals were content to tie up ships to rust at the dock, we have done the exact opposite.

Just last week I had the great honour to attend the naming ceremony for the first of the Hero Class mid-shore patrol vessels being built.

### PHARMACEUTICAL DRUGS

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Mr. Speaker, a constituent on chemotherapy cannot get his decades-old drug for nausea. Another cannot afford the brand name drug to replace a missing generic. The drug shortage affects a wide range of medications.

In the U.S., President Obama just took decisive action. Yesterday, our minister was pleased that drug companies would voluntarily give notice of impending shortages.

When will the minister be pleased to get to the bottom of why Canadians are suffering from these shortages and what to do about it?

**Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC):** Mr. Speaker, our government is taking a leadership role when it comes to dealing with drug shortages. This summer, I told the drug companies that if they did not take action, our government would look to regulations to require action.

I am pleased to report to the House that these companies have responded positively to my request.

\* \* \*

[Translation]

### AFFORDABLE HOUSING

**Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP):** Mr. Speaker, I would like to point out that today is National Housing Day. I am pointing this out because there is nothing to celebrate. This government does not have a long-term strategy for affordable housing. Right now, 1.5 million Canadian households are living in inadequate housing and over 150,000 people are living on the streets. For them, every day is a day without affordable housing. This day reminds us of the government's inaction.

Why is this government complacent about the fact that there are so many families who do not have decent housing?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, we have invested a lot of money to help people in need of affordable housing. For example, as part of our economic action plan, we have invested \$2 billion, which has helped to build or renovate 14,000 houses. That means that 14,000 families have benefited from our efforts. Unfortunately, the NDP voted against all these initiatives.

[English]

**Ms. Irene Mathyssen (London—Fanshawe, NDP):** Mr. Speaker, 14,000 renovations are not new homes.

Today is National Housing Day, another reminder that the out-of-touch government is failing families. A staggering 1.5 million Canadian households are at risk unless the government commits to more affordable housing. Aboriginal communities are living in tents, seniors are still paying for mortgages, families are falling deeper into debt. Yet the government's so-called plan is too little too late.

When will the government get serious about our housing crisis? When will the government implement a real national, affordable housing strategy?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, the real question is this. When will the NDP stop complaining and start doing something to actually help those in need?

The facts are that we have 14,000 projects, which is more than 14,000 families, and 1,200 alone were renovations. There are new projects and new builds. We had specific funding for affordable housing for seniors, the disabled, for those off-reserve and on-reserve. The NDP members voted against helping those people every time. Shame on them. They have no credibility on this issue.

\* \* \*

• (1455)

### THE ECONOMY

**Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC):** Mr. Speaker, while our Conservative government is focused on jobs, the NDP is bashing the Canadian economy.

First, the NDP tries to hike taxes on Canadians from a \$10 billion a year hike on employers to a GST hike on families and more. Second, the NDP travels to Washington to join fellow left-wing radicals to attack our country's economy and good Canadian jobs. Finally, last night, the NDP shockingly voted against implementing the next phase of Canada's economic action plan.

Could the finance minister please explain what the NDP tried to kill last night?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, I thank the hon. member for the erudite question about budget voting.

Last night the budget was voted on at third reading and it was passed in this place, but without the support of NDP members. They walked away from the job creation tax credit for small business. They voted against the family caregiver tax credit. They voted against the children's arts tax credit. They voted against the volunteer firefighter tax credit. They voted against tax relief for the manufacturing sector and making the gas tax fund permanent for municipalities in Canada.

\* \* \*

### INFRASTRUCTURE

**Hon. Mark Eyking (Sydney—Victoria, Lib.):** Mr. Speaker, the Cape Breton regional municipality has a major problem cleaning up its waste water systems. It has a declining population and a \$100 million debt. With the previous Liberal government's tax rebate, the mayor and council have put many new systems in place. However, it is not enough. The province has stated that it will not give any more money and the Conservative government has unfair deadlines.

Will the Prime Minister come forward with more dollars and extend the timelines for these small communities across Canada, like CBRM?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr.

### Oral Questions

Speaker, I was mayor during the time of the former government. Our government delivered more than that government for many years. Our government made, and continues to make, significant investment in waste water infrastructure across Canada. Since 2006, we have invested \$2.1 billion in waste water projects and we will continue to do so.

\* \* \*

[Translation]

### CITIZENSHIP AND IMMIGRATION

**Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP):** Mr. Speaker, the government is imposing sanctions on Iran. But at the end of September, it allowed Mahmoud Reza Kavari to enter the country. He was the head of Bank Melli, which was involved in a financial scandal.

I think the government needs to be reminded that Bank Melli has been on the government's blacklist since 2010 because it is suspected of funding Iran's nuclear program.

It took a month to launch an investigation.

Why is the government allowing Canada to become a refuge for people who fund the Iranian regime?

**Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC):** Mr. Speaker, first of all, the hon. member must understand that under the Privacy Act, the government and its ministers cannot comment on specific cases.

That said, I have seen the media reports saying that this man received Canadian citizenship in 2005. Obviously, we have launched an investigation regarding foreigners who fraudulently obtained Canadian citizenship, and we intend to review the period in question.

\* \* \*

[English]

### NATURAL RESOURCES

**Hon. Rob Merrifield (Yellowhead, CPC):** Mr. Speaker, our government is defending Canada's interests around the world, and why would we not? That is what we were elected to do and that is what Canadians expect us to do. Meanwhile, the NDP consistently tries to undermine Canada's interests, whether that is in Europe or whether that is in the United States.

Would the Minister of Natural Resources give the House an update on the latest ridiculous NDP anti-trade mission?



### Points of Order

**Hon. Joe Oliver (Minister of Natural Resources, CPC):** Mr. Speaker, last week the NDP refused to attend a forum organized by a union representing 200,000 oil and gas workers. This week the NDP is promoting an event with European socialists in support of the fuel quality directive. This unscientific initiative unfairly targets the 200,000 workers the NDP refused to talk to.

We now know the NDP's priorities: their foreign socialist comrades and billionaire U.S. limousine liberals, and not the hundreds of thousands of Canadian workers in our energy sector.

\* \* \*

• (1500)

### FISHERIES AND OCEANS

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Mr. Speaker, the fisheries and oceans minister admits Canada's fishery is broken. He blames the mess on so-called red tape and inefficiency. His answer is to slash the department's budget, fire the scientists we need to help fish stocks recover, and eliminate regulation. It is like burning down one's house because the paint is peeling.

Instead of making the situation worse, when will the minister wake up and fix these problems?

**Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, there is no question that the fishery is in need of change. With an aging workforce, aging fishers, we need to position the fishing industry to attract new and younger fishers to that industry.

Just last week, for example, I was in Newfoundland to announce the government's investment in an \$18 million program to restructure the lobster industry. Fishermen were not nearly as downbeat as the member opposite suggested. In fact, they were very positive and said such things as, "It's a good day for the lobster industry in general and for the province".

\* \* \*

[Translation]

### JUSTICE

**Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ):** Mr. Speaker, Minister Fournier came away from this morning's meeting with his federal counterpart empty-handed. The federal minister told him that he did not have confidence in the statistics provided by Quebec, the expertise of Quebec's lawyers or the opinion of the Barreau du Québec.

Furthermore, a survey revealed this morning that only 22% of Quebecers believe that Bill C-10 will help reduce crime and 65% believe that the federal government should pay the additional costs associated with this bill.

Is this the federal government's idea of open federalism? Is this its new way of co-operating with Quebec, that is, telling it to take a hike?

[English]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, we have listened very carefully to our provincial counterparts. I pointed out there is an

amendment to Bill C-10 that was proposed by the Province of Quebec. We were very pleased to receive that.

The hon. member is looking for statistics. There is one statistic I was very pleased to see. Leger Marketing recently published a survey which showed that 77% of Quebecers support tougher sentences for criminals. That is a great statistic, and I agree with that completely.

\* \* \*

### PRESENCE IN THE GALLERY

**The Speaker:** I would like to draw the attention of hon. members to the presence in the gallery of recipients of the 19th National Aboriginal Achievement Awards: Candace Sutherland, Elder Dave Courchene Jr., Dr. Leona Makokis, Richard Hardy, Dr. Janet Smylie, Violet Ford, Grand Chief Edward John, Minnie Grey, Senator Gerry St. Germain, and in the Ladies' Gallery, recipient Richard Peter, and finally, the hon. Minister of Health, who is in her seat in the chamber.

**Some hon. members:** Hear, hear!

[Translation]

**The Speaker:** Please join me for a reception to honour the recipients in room 216 north after question period.

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### POINTS OF ORDER

#### ORAL QUESTIONS

**Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP):** Mr. Speaker, in his response earlier to my colleague from Halifax, the Minister of the Environment called her a traitor. Since when do we call someone a traitor for going to meet with elected representatives in another country? Why is the environment minister keeping tabs on the people the NDP meets with? We maintain valuable relationships with progressive people in the United States. Instead of keeping tabs on us, he would do well to keep an eye on the hole in the ozone layer.

• (1505)

[English]

**The Speaker:** I will certainly review the comments in question.

The hon. member for Avalon is rising on a point of order.

#### COMMENTS REGARDING THE SPEAKER

**Mr. Scott Andrews (Avalon, Lib.):** Mr. Speaker, this relates to some comments I made on November 3, I was not here last week and I would like to clarify, retract and apologize. I said, "The last time I checked, the Speaker is a member of the Conservative Party and the Conservative caucus". I apologize. He is not a member of the Conservative caucus. There was no intent to call into question your impartiality, Mr. Speaker.

*Privilege*

Mr. Speaker, I would like to clarify for the record a little bit earlier in the conversation on that particular matter where the member for Elgin—Middlesex—London said, “The Speaker of the House of Commons now makes those two appointments in the interest of greater impartiality and independence”. He went on to say, “...a three member boundaries commission chaired by a judge and comprising two other members appointed by the Speaker”. In the next paragraph he said, “The goal is a readjustment process that is generally free of partisan considerations”.

Mr. Speaker, I would ask you to review those particular comments in light of my apology regarding bringing into question your impartiality. I believe that these comments require some consideration.

I apologize for my comments.

**The Speaker:** I thank the hon. member for his retraction and for his apology.

I understand the hon. member for Mount Royal is rising further to his question of privilege.

\* \* \*

**PRIVILEGE**

## TELEPHONE CALLS TO MOUNT ROYAL CONSTITUENTS

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, I rise to make an additional submission relative to the question of privilege I raised in this place last week regarding phone calls to constituents in my riding asking them if they would support the Conservatives in the impending, if not imminent, byelection in my riding.

Clearly, as long as I am standing in this place there is no byelection in my riding. Equally, if not more important, I am as engaged now as I ever have been on the issues of the day, both domestic and international, on this the 12th anniversary of my first election in November 1999.

It is not only that the false and misleading information overshadows and overtakes my involvement, whether it be on the domestic justice issues of the day or whether it be on my urgent legal representation of an Egyptian political prisoner, but rather that my constituents hear only the false rumours that I have stepped down rather than reports of what I am in fact engaged in.

While my office has provided the table clerks with a list of constituents who were contacted as well as some of the correspondence my office has received, I rise because there is some new information that I believe must be made known to the Speaker and all members of the House before the Speaker's ruling is made.

I stressed in my first intervention that my concern about this reprehensible practice was not a personal one, but rather one that affects all members of this place.

Indeed, a story that aired on CBC Montreal about this found that some of the people contacted do not even live in my riding of Mount Royal. One Montrealer said in the CBC story, “Somebody told me that they were representing the Prime Minister and they were asking me for my support in the upcoming byelection. I asked him what byelection he was talking about”.

I believe this case study illustrates my point in the sense that the constituent who reported to me that she resides in the riding of Westmount—Ville-Marie said that she was politically aware enough to know that I was not stepping down. However, I can imagine that someone who follows politics less and lives in the riding of Westmount—Ville-Marie might have been made to believe that in fact the member for Westmount—Ville-Marie had resigned or was planning to resign, so it goes beyond me in this regard.

While I am aware that it is not up to me to make a privileged submission on behalf of that hon. member, I again draw the attention of the House to the pronouncement from Speaker Bosley, reprinted on page 113 of O'Brien and Bosc, which states:

It should go without saying that a Member of Parliament needs to perform his functions effectively and that anything tending to cause confusion as to a Member's identity creates the possibility of an impediment to the fulfilment of that Member's functions. Any action which impedes or tends to impede a Member in the discharge of his duties is a breach of privilege.

Indeed, while I contend the practice has breached my privilege, I believe it has also, at least in this instance, breached the privilege of the member for Westmount—Ville-Marie, as it would also breach the privilege of any member whose riding is so targeted or whose constituents receive such calls.

I say this, lest there be any confusion, that we all understand that political parties engage in fundraising, outreach and the like when Parliament is sitting. Such actions are perfectly permissible provided the rules are respected, the law is followed, and no privilege is breached. This practice, however, breaches my privilege by implying that I am not in this place and fulfilling my duties, as I could not be if I had indeed stepped down. As I said, it causes confusion in the minds of my constituents as to whether I am currently their MP and what in fact I am doing in this place.

Moreover, in the case of calls outside my riding, it may cause confusion to the electorate in other electoral districts as well.

This is far different from the usual party activity when there is no election. It is one thing to do a general fundraiser, as many members do, or even send literature, although as Speakers have ruled in the past, and in the case of my riding, this too may breach a privilege in certain situations.

The problem is that these misleading calls misrepresent an alleged imminent byelection. While the notion of an impending byelection may drum up support for it, it implies a sense of urgency. Stating that there is a byelection, in effect, implies a great deal about the member presently serving or, indeed, if he or she is even serving at all. Indeed, it implies that he or she is not serving and will not serve much longer.

• (1510)

Thus, while I wholeheartedly welcome disagreement and debate about my politics and positions, and this is a fundamental activity that must be protected in a free and democratic society, I must reject any assertion or implication that I am not here in this place acting as I should and advocating on my constituents' behalf.



### *Privilege*

Indeed, I have been in committee with hon. members on the other side in all parts of the House from 8:45 a.m. today, exiting only for question period and this statement, and will be there until midnight tonight and tomorrow as well to propose my amendments to the crime bill, Bill C-10.

This is the important point, and I do not wish to sound self-serving in any way, but all this gets overshadowed and forgotten if my constituents do not think I am even here and it overtakes them finding out what in fact I am doing when I am here. In fact, the press tends to only ask me questions about these phone calls without seeking to understand positions I may be taking on other compelling issues of the day in concert with members of the House.

Further, we now have some new information about the source of these calls. Whereas in my initial submission I identified the firm, Campaign Research, ties to the Conservative Party have since become clear. Indeed, the person who was the Conservative candidate in the last election in my riding and who was rumoured to be candidate in the imminent byelection, though I stress again, should any constituents be watching, there is no byelection, imminent, pending or the like, he said, "I have nothing to do with it, it is a party thing".

That is a quote in a document presented to the table officers, which I will provide to any members who may wish to see it.

Further, news reports cite Conservative Party spokesman, Fred DeLorey, saying that the party "does not comment on operation matters", when asked, which, to my mind, implies some level of involvement.

While I still believe the matter constitutes a *prima facie* breach of privilege and, as such, should be referred to the appropriate committee for inquiry and investigation, I believe it is now imperative that the committee be given the matter to investigate given that there are obviously individuals who could be called as witnesses on this matter.

Indeed, Mr. Speaker, as your predecessor once noted in 2007, though I suspect that the comment may have been made partially in jest, and I so characterize it:

...I hate to deprive the Standing Committee on Procedure and House Affairs with an opportunity to examine witnesses on a question that I know would thrill the members of the committee.

Whether it is thrilling or not, I do not know, but I know it is sufficiently serious to warrant referral.

Should the committee find that the practice is indeed a breach of privilege, fines could be imposed for making such calls, individuals who ordered them might arguably be found in contempt of the House or, short of this, and I believe it would be in line with the established way privilege matters work, those responsible might acknowledge that the practice occurred on their watch, apologize for having engaged in it and the damage it has done, and all parties would undertake not to engage in such behaviour.

This would establish a welcome precedent that in the view of the House it is not proper for anyone to tell one's constituents that a member has resigned or is resigning when he or she remains a quite active and involved member of this place.

I have one last point. Unless the government plans to break its own election law and dissolve Parliament, the next election is clearly not impending or imminent as is being implied to my constituents, and, indeed, at such time it would then be a general election and not a byelection.

On the point of byelections, O'Brien and Bosc note on page 189 that byelections only occur when there is a "vacancy in the representation", and further, precisely on page 241, that:

A person ceases to be a Member of the House of Commons when:

- that person dies;
- that person resigns his or her seat;
- that person has accepted an office of profit or emolument under the Crown;
- that person has been elected to sit in a provincial or territorial legislative assembly or on a municipal council;
- the Member's election has been overturned in accordance with the Canada Elections Act; or
- the House has, by order, declared that the Member's seat is vacant and has ordered the Speaker to address a warrant to the Chief Electoral Officer for the issue of a writ of election for a new Member.

At the risk of reiterating the list, I have mentioned the list only so that it would be clear that none of these items accord with the present circumstances or my circumstances in any way.

Mr. Speaker, I assure you that there is no pending, let alone impending, byelection and all calls to the contrary are false, misleading and prejudicial to the workings of this House, to my constituents and to myself.

• (1515)

**The Speaker:** I thank the hon. member for his further contribution on this point.

The hon. member for Richmond—Arthabaska.

[Translation]

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, I find this matter to be very troubling. This is not the first time I have heard the hon. member talk about what is happening. Now he is adding new elements. For the Bloc Québécois, this is not only troubling, but it is indeed a question of privilege. As the hon. member says himself, if there is a rumour in his riding of a byelection, the hon. member becomes a lame duck. To the people in his riding, the current hon. member will probably step down and might be less interested in doing his job.

It is a question of privilege when an hon. member is prevented from doing his job properly, and that is precisely what is happening to the hon. member. The media fuel the problem. We know full well that there is no byelection in his riding, that this hon. member is working for his constituents and that he has not left. Nonetheless, I am sure that the people who received these telephone calls wondered about that. There was therefore a direct impediment to the hon. member's work. We have to shed light on what is happening.

This is not the first time this hon. member has had to deal with a problem. The Conservatives at the time sent flyers, what we call ten percenters, to his riding to attack him on a very delicate matter. I do not know whether we are dealing with a relentless attack, but we have to get to the bottom of this.

I agree with the hon. member: the Standing Committee on Procedure and House Affairs has to deal with this immediately to find out what happened, to put an end to this, and to ensure that we know if this ever happens to other hon. members and that they tell you about it, Mr. Speaker.

[English]

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, the question of privilege raised by our hon. friend, the member for Mount Royal, is deeply disturbing and it is more than rumour. He has had several ways of confirming that such calls are being made into his riding. With what he has put forward to the House today, he was able to provide further details that suggest, although we do not have 100% proof, that Conservative Party operatives are spreading false rumours within his riding.

I rise on this question of privilege because I think it is a more generalized question of privilege for many members in the House. If this becomes a tactic, if this becomes something that is used to destabilize the ridings of anyone elected to this place, then it does in general speak to a question of privilege and offends the rules of the House.

On page 113 of O'Brien and Bosc, we find the story of what occurred in 1985 and Speaker Bosley dealt with it. There was a newspaper advertisement that suggested someone else was the member of Parliament other than the sitting member and Speaker Bosley ruled on this and said:

It should go without saying that a Member of Parliament needs to perform his functions effectively and that anything tending to cause confusion as to a Member's identity creates the possibility of an impediment to the fulfilment of that Member's functions. Any action which impedes or tends to impede a Member in the discharge of his duties is a breach of privilege.

I suggest that this is mischief-making at a local level in relation to a member's intentions and to the member's good standing. I must say that, as a former minister of justice, the member for Mount Royal is, in my mind, one of the finest parliamentarians in this place. That such mischief should go on in his riding means that none of us are secure. We need a clear ruling from you, Mr. Speaker, to put an end to this practice. It may be that party machinations go on without direction from the top, but this is mischief-making that is not coordinated, that it is a random act of breach of privilege.

Mr. Speaker, your ruling on this kind of unhelpful, deliberate misleading of the electorate, which is clearly anti-democratic at its very base, will put it to rest and make it stop.

• (1520)

**The Speaker:** I thank the hon. member for her contribution as well to the question currently before the Chair.

## GOVERNMENT ORDERS

[English]

### COPYRIGHT MODERNIZATION ACT

The House resumed from November 14 consideration of the motion that Bill C-11, An Act to amend the Copyright Act, be read the second time and referred to a committee, and of the amendment.

### Government Orders

**The Speaker:** The hon. member for Burnaby—New Westminster has five minutes left to conclude his remarks.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, unfortunately, I would need to take a lot more time to paint the portrait of what the Conservatives have done in this particularly bad bill.

When I was speaking a few days ago, I was particularly incensed and appalled by the lack of knowledge of a number of Conservative members. Even though they were here to speak to Bill C-11, they obviously had not read the bill. The New Democrats on this side of the House always do our homework. We read the bill. We heard repeated comments that the retroactive book burning provisions of Bill C-11 were not in the bill. Many Conservatives have risen in the House and said unabashedly that there were no book burning provisions in the bill. What we were referring to were the retroactive electronic books that would be destroyed by this particular legislation.

It is important that Canadians understand what is in the bad bills that the Conservatives bring in front of the House. I will read directly from page 23 of Bill C-11, clause 30.01. It reads:

(5)...the student shall destroy the reproduction within 30 days after the day on which the students who are enrolled in the course to which the lesson relates have received their final course evaluations.

It could not be clearer than that. It says it in black on white right in the text of Bill C-11. As a result of the government's incredible irresponsibility in drafting this legislation, students across this country who get electronic books will need to destroy their course material. I will read it one more time, "A student shall destroy the reproduction within 30 days". If not, they contravene the bill. They break the law.

I know the Conservative Party pled guilty to law-breaking just a few days ago. What the government is saying to students in this country, and educational institutions as well, who get their material and go through the course, is that the moment they receive their final course evaluations they must destroy all of the information they accumulated through the course of the lesson.

Having gone to university a number of years ago, I have kept much of my course material. My management and accounting courses still serve me when I do a variety of things in the House. A lot of the things that I learned in university continue to be useful today. The Conservatives are now saying that they will retroactively force students to burn their textbooks, destroy all that information, and they are doing it because lobbyists said that should be put in the bill.

The member for Timmins—James Bay, who is our digital critic, has talked about some of the other aspects of the bill and how they would make criminals out of ordinary Canadians. The government seems obsessed with trying to make everyone a criminal. However, the government has also put anti-circumvention rights on digital locks within the bill. This means that the simple action of copying information for personal use would make those individuals criminals. We are talking about very draconian penalties of up to \$1 million that are contained within the bill.



*Government Orders*

We have spoken out against the digital lock provisions. We have spoken out against the retroactive book burning that the Conservatives now want to force on every student in the country who gets electronic textbooks. We have spoken out about that because Bill C-11 is simply bad legislation.

We are standing up for the rights of students to keep their course material. We are standing up for the rights of Canadians to copy material for personal use. We have said that we need to modernize the Copyright Act but not in this right-wing, ideological, lobbyist-based crusade that the Conservative government has brought about with some of the provisions in the bill.

We have offered to bring forward constructive amendments to change the retroactive book burning provisions and to change the incredible aspects around the digital locks and the criminalization of Canadians. However, the Conservative government, in its incredible arrogance, has said no, that it will not listen to Canadians on this. It will not even listen to Canadians in committee. It will simply try to ram the bill through.

Well, we are speaking out against this legislation and we are speaking out against the bad provisions that the Conservatives have put in it.

• (1525)

**Mr. Paul Calandra (Parliamentary Secretary to the Minister of Canadian Heritage, CPC):** Mr. Speaker, it is good to hear that the hon. member is changing what he said last time. The last time he stood in the House, he talked about students having to burn their course notes; he has somewhat modified that statement, because he knows it is not true. The other thing he mentioned was making consumers into criminals for circumventing digital locks. He says he has read the bill, so I will ask him about two sections.

First, where in the bill does it say that individuals who circumvent digital locks will be made criminals? What part of the bill criminalizes them?

Second, could he point out any part in the bill that talks about students having to burn their personal course notes? I am talking about students who have created notes and done their work. Can he point out the specific clauses of the bill that criminalize individuals for breaking digital locks and point out any place in the bill that says students have to burn their personal notes?

**Mr. Peter Julian:** Mr. Speaker, the member is doing it again. He is doing it yet again. The poor quality of interventions from Conservatives in the House of Commons is incredible.

He did this a few days ago in debate. He tried to confuse course textbooks with handwritten course notes. Of course, everyone asked what he was talking about, and he was unable to explain it. He still continues to deny that course textbooks are in the bill.

I just read proposed subsection 30.01(5) twice. I read it twice, yet he still stands and says he has not read it anywhere. He has not read the bill and he has not bothered to look at the bill. I am not going to read proposed subsection 30.01(5) for a third time. I am simply not going to do it yet again, because the member should be doing his work and reading the bill on his own. Then he would realize that this is bad legislation and that he should be voting against it.

**Mr. Kennedy Stewart (Burnaby—Douglas, NDP):** Mr. Speaker, I listened with great interest to the member's speech and I too am appalled with this bill.

As an educator and a textbook author, the reason I write textbooks is not to make money but to provide students with information and material that they can take with them not only during the course but afterward. They can refer to it for future courses and, as the member alluded to, later in life when they have graduated. I wonder if my colleague would elaborate on that aspect a bit further.

**Mr. Peter Julian:** Mr. Speaker, I compliment the member for Burnaby—Douglas for his questions and the interventions he makes in the House of Commons. He comes from a proud history of NDP representation in Burnaby—Douglas: former members Svend Robinson and Bill Siksay. He has filled very large shoes. He is filling them in a very compelling way, and very eloquently. We are happy to have him in the House of Commons.

• (1530)

**Mr. Royal Galipeau:** Tommy Douglas.

**Mr. Peter Julian:** The member points out Tommy Douglas, but that was not the riding of Burnaby—Douglas. That was the riding of Burnaby as a whole, which is now half mine and half his. I thank the member for Ottawa—Orléans for his point on that.

Proposed subsection 30.01(5) is absolutely deplorable. Within 30 days of their course evaluation, any students listening to us today would have to burn the course textbooks they received electronically. As the member for Burnaby—Douglas just pointed out, textbooks are essential for the long-term education of our students. Even today, students who graduate continue to use their course textbooks. It is absolutely absurd for the Conservatives to say they should be ripped up and burned and that students who did not do so would be breaking the law.

It is becoming evident in this debate that no Conservatives have actually read the bill. What they have done is read the PMO's talking points. They have not read the actual legislation. I implore them, before it is too late, before the vote, to read the bill and find out what it actually contains.

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, perhaps the previous speaker could give me a copy of that bill. I can read it to them another time.

Everyone agrees that Canada needs copyright reform. Everyone agrees that this reform should be fair to all parties, creators and consumers. Striking this balance is not an easy task. Given this general consensus, I am disappointed that the Conservatives' copyright bill has very little to do with the interests of Canadians and everything to do with appeasing U.S. studios and other large content owners. When will Canadians have copyright legislation that works for us?

*Government Orders*

The Conservatives ignored expert opinions raised in the committee and the findings of their own copyright consultations in 2009. Artists, educators, consumers and students all weighed in during the committee hearings, providing the Conservative Party with balanced information and weighted insight. Unfortunately, this information has been summarily ignored. As a result, the bill in front of us is a misguided piece of legislation and may end up doing more harm than good.

The copyright modernization act essentially gives with one hand while it takes with another. Conservatives continue to not deal with the issue of extending the private copying levy, as the NDP and many experts propose. The private copying levy has worked efficiently in the past for cassette tapes, CDs and DVDs. While this bill contains a few concessions for consumers, they are unfortunately undermined by the government's refusal to compromise on the single most controversial copyright issue in this country, which is digital lock provisions.

Digital locks supersede other rights guaranteed in the charter. They are a blunt instrument that does not distinguish between personal use and copying with intent to sell. In the case of long-distance education, for example, people in a remote, isolated community would have to burn their school notes after 30 days. This is hardly an improvement or an appropriate use of copyright law. Just in case our Conservative friends across the way do not know that section, I will remind them again that it is proposed subsection 30.01(5), and I will read it again if they choose to ask me their questions.

If we begin from the premise that a successful act would balance the right of creators to be compensated fairly for their work and the right of consumers to have reasonable access to content, then we can only conclude that Bill C-11 must undergo revision before this act can serve Canadians.

Here is what the Samuelson-Glushko Canadian Internet Policy and Public Interest Clinic said on the digital lock provisions. It stated, in part:

Unfortunately, the bill also succumbs to U.S. pressure and makes fair dealing—including the new exceptions for the many ordinary activities of Canadians—illegal whenever there is a "digital lock" on a work. A digital lock will trump all other rights, forbidding all fair dealing and keeping a work locked up even after its copyright term expires. Overall, these digital lock provisions are some of the most restrictive in the world. To achieve a fair balance between users and copyright owners, the government needs to fix the digital lock provisions before this bill passes into law.

The Writers Guild of Canada said:

The only option that [the bill] offers creators is digital locks, which freezes current revenue streams for creators, and creates an illogical loophole in the copyright Bill by taking away the very rights the Bill grants to consumers in its other sections.

The government has said it is giving rights holders the tools they need in order to develop products, market them and get paid for them, and that this is about protecting creators from piracy, but digital locks are neither forward-looking nor in consumers' or creators' best interests. Digital locks, at the best, will simply freeze current revenue streams for creators.

• (1535)

On the one hand, the bill will deprive some citizens of access to works they have already paid for and have every right to use. It will be illegal to remove a lock, even if done so for a lawful purpose. If someone locks himself or herself out of the house, we do not drag

them off to jail for trying to enter his or her locked property; why should digital property be any different?

On the other hand, the rights and interests of creators are not being supported either. It should simply be enough to quote SODRAC, the Society for Reproduction Rights of Authors, Composers and Publishers in Canada, which states that:

...the bill tabled in the House of Commons will significantly affect creators' revenues.

By that I believe SODRAC talking about at least \$30 million.

It continues:

Moreover, the desired balance between the interests of creators and those of consumers and users is, in our opinion, completely absent. Thus, it is imperative that [the bill] be revised before it is ultimately adopted into law.

We believe this copyright modernization act should not make criminals of everyday Canadians who break digital locks for personal non-commercial use.

We support amendments that actually benefit Canadian content creators, as these artists need the revenue streams. We do need a copyright modernization act, but we need one that is balanced and genuinely concerned with Canadian artists and Canadian consumers. Right now, the bill will leave all sides unhappy. It is one that has fallen short of its responsibility.

As I have a few more minutes, I will once again read the section that my friends are talking about. My colleague read it twice, but maybe after three or four times they may finally get it.

This is proposed subsection 30.01(5) at page 23 of the bill. It is speaking to reproducing lessons. These are students who are using notes.

It states:

It is not an infringement of copyright for a student who has received a lesson by means of communication by telecommunication under paragraph (3)(a) to reproduce the lesson in order to be able to listen to or view it at a more convenient time. However, the student shall destroy the reproduction within 30 days after the day on which the students who are enrolled in the course to which the lesson relates have received their final course evaluations.

I know how students work. Sometimes an assignment can be given for a term. When students have a document in front of them, it is not always possible to deal with all elements of that document within 30 days. Some documents, although they have been received completely legally, take a lot more time to go through.

The bill was introduced on September 29. We are near the end of November. If some members of the Conservative team over there have taken more than a month and a half to read the bill, how could they expect students to take a document that they have a right to study and destroy it within 30 days? That does not make sense.



*Government Orders*

Certainly, this component makes criminals out of ordinary Canadians. The people who would suffer most would really be the students and the artists who are not getting the fair compensation they should. We all know that these artists help to create an identity for Canada. A lot of artists live in poverty; they need more funds, and this bill does not serve them.

● (1540)

**Mr. Gordon Brown (Leeds—Grenville, CPC):** Mr. Speaker, I listened very closely to the hon. member's presentation on the bill.

We all know that the government had serious consultations across the country on this bill over the last couple of years. This is the same bill that was Bill C-32 in the last Parliament. I happened to have been the chair of the special legislative committee that looked at the bill and heard from well over 100 witnesses from 75 different groups.

We heard time and time again that Canada was seen as an outlaw. Canada had become a haven, an enabler, for pirates to steal intellectual property. Investments have not been made in our country in terms of businesses that want to have protection for intellectual property.

Would the hon. member support getting this bill to committee, so that once again we could hear those facts and stop Canada from being a haven for outlaws and pirates that steal intellectual property, so that investments in the Canadian economy can be made?

**Ms. Olivia Chow:** Mr. Speaker, I do know that Canada needs a new copyright act. No one would deny that. It needs a balanced act that would benefit artists and ensure that the people who are using the materials legally are not punished.

I was at one of the consultations in Toronto when the former minister of industry, now the President of the Treasury Board, was there. It was at the Royal York Hotel. However, the Canadian Federation of Students tried to come in to express their point of view and for some reason they were not allowed to do so. It was quite unfortunate because one of the fatal flaws of the bill is that it punishes students.

If some fundamental amendments could be made to this bill that deal with the digital lock issues and compensation for artists, then it could be a balanced bill.

**Mr. Scott Simms (Bonaville—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, this is to follow on the point of my hon. colleague from Leeds—Grenville who said yes in the House to send the bill to committee to make fundamental changes.

I had discovered several years ago, and it is one of the major issues that I bring up from time to time, that we cannot make fundamental changes once we have said yes in principle to the bill. At second reading, if the majority votes for it, we have accepted the principles and the scope of the bill. Therefore, the fundamental changes that one had wished to put into the bill would not be accepted by the Speaker. It does not matter if everybody in the House agrees with the fundamental changes. The Speaker has the ultimate responsibility to see if it goes beyond the scope and principles of the bill.

To the point made by the hon. member for Trinity—Spadina that there is no grey area on some kind of recourse for a purchased

material that could be transferred to another device, that can be trumped by the fact that we have what is called a digital lock. The bill would give us one of the harshest provisions for digital locks in the world.

● (1545)

**Ms. Olivia Chow:** Mr. Speaker, I agree that a bill cannot be fundamentally amended that way. The Speaker would say that it would not be in order. In the past the NDP has sometimes tried to get a bill through without a vote at second reading and send it to committee without recommendations so that it could be fundamentally amended. I think Canadians want us to work together that way so that some of these amendments could be accepted at committee. However, I do not think that is how the Conservative government wants to work in this term unfortunately.

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I am pleased to rise in the House today to speak to Bill C-11.

Like the member for Trinity—Spadina, we both represent ridings, mine in Vancouver and the hon. member's in Toronto, that do have many artists and people who work in the cultural sector. We very much share that in terms of our ridings. We know how much concern there is about the bill and whether or not it does indeed strike the right balance.

Sometimes legislation can go through Parliament and not be noticed very much. Other times we find there is a huge amount of interest in legislation and there are campaigns to try to stop something, like we have seen with Bill C-10, the omnibus bill on drug crimes and other measures.

The bill before us has been very surprising because it is highly technical in nature. It is a complex issue when it comes to talking about copyright. Yet, in my community of east Vancouver, over the last couple of years, there has been significant debate about this issue because people recognize that copyright modernization is long overdue. They have of course been aware that the Conservative government was bringing forward legislation and in fact we have seen a previous version of the bill. It was identical in the last Parliament.

I have actually been surprised in a good way that there is so much debate out in the community about copyright, about the needs of cultural workers, artists, creators, as well as libraries. I am sure like many MPs, I have had visitations from, in my case, the Vancouver Public Library. I think I have met with them two or three times over the last few years about copyright issues.

A hallmark of public libraries is public accessibility. It is one of the few remaining places in our society where, no matter who individuals are, whether they are very wealthy or they are living on welfare and below the poverty line, they have access to a public library. It is a public institution. It is publicly owned and the services are publicly accessible.

*Government Orders*

Issues of public access and copyright are critically important when it comes to public libraries. The Canadian Library Association, the B.C. Library Association and the Vancouver Public Library have all brought forward very thoughtful comments, proposals and ideas about copyright, and what needs to be done. It has been a very interesting process to see the level of engagement around the bill.

Our copyright critic, the member for Timmins—James Bay, has done an incredible job of staying on top of this issue. As New Democrats we do believe that copyright modernization is long overdue. There is no question about that. I do not think there is any disagreement from any of us about that reality.

Obviously, the issue before us here today, though, is the bill. Does the bill, as it is currently manifested, contain the right balance in terms of public access for students? We just heard from the member for Trinity—Spadina who read one clause of the bill that seems particularly onerous. Is there an adequate balance of those rights and provisions in terms of protecting creators' artistic copyright as well as ensuring that there is public access?

Our member for Timmins—James Bay has gone through this with a magnifying glass in great detail and has also had numerous public consultations, town hall meetings, and an enormous response from stakeholders. He has come to the conclusion, and we have had discussions about this within our own caucus as well, that the bill unfortunately does not have the right balance and, in fact, there are many glaring problems. In some situations, and this is very unfortunate, the bill itself would even create problems when none existed before.

● (1550)

The principle of modernization is good but, of course, the devil is in the details, as we all know. It is really important that if this particular bill, as it is being debated in the House at second reading, which is in principle, does go committee, and I assume that it will because the government has a majority, there be a very close examination. We want to ensure that copyright laws in Canada can balance the right of creators to be fairly compensated for their work and the right of consumers to have reasonable access to copyrighted content.

I know that the government believes that the bill would do that. Unfortunately, upon close examination, we believe that there are serious problems with the bill, that there are flaws, and that if there is a genuine interest to work on the bill and to improve it, then I think we could end up with a bill that would actually reflect the balance that we all want to see.

I say that with maybe some optimism and hope, but also with the knowledge that this is the government that has rammed through legislation in the last few weeks since we came back and brought in time allocation, I think it is seven times now, and is hell-bent on forcing Bill C-10 through committee and having it come back into the House.

I truly believe that if as legislators we are to do our job, one of the most important processes of the legislative process is what happens in committee and it is not a matter of just playing for time or being frivolous. There is a real process that takes place. I have been part of that on a number of committees over the years and I know other

members of this House have as well. When that happens, we actually can end up with something that is a better product, that is truly a reflection of what experts are telling us and what the prospective is of the political elements within this House.

I do hope that on this bill, because it does have such a long history and it is now the third time around that it has come forward, there actually will be a commitment from the Conservative government and the minister to allow the committee to actually do its work, and then it would not just simply be rammed through.

There are people in Canadian society who are incredibly expert on this issue. They do need to be heard. Now, I know the government is going to say it did all these consultations and it has done it all. This is before a legislative committee, though. This is part of a real process where people need to be heard.

The NDP is willing to work on this bill. We think there are serious problems, but we are willing to work on it. However, in its current form, it is not something that we think is supportable.

In terms of some of the specifics which I would just like to go into, one of the problems that we have is that this bill would formally enshrine in legislation commonplace grey area practices that enable users to record TV programs for later viewing as long as they do not compile a library of recorded content, which is often called time shifting, transfer songs from CDs onto their MP3 players, called format shifting, and make backup copies.

We are also very concerned that it would create new limited exceptions to the fair dealing provision of the Copyright Act, including the exceptions for educators, and exceptions for parody and satire that Canadian artists have been asking for. The exceptions to fair dealing contained in Bill C-11 represent some of the most contentious elements of the proposed legislation.

I know that there is also a very serious concern about the digital locks and that this would override many aspects of the balance that is being sought here. Experts like Michael Geist and the cultural industries have all spoken to this issue. For example, Michael Geist, who is a renowned technology commentator, said:

The foundational principle of the new bill remains that anytime a digital lock is used—whether on books, movies, music, or electronic devices—the lock trumps virtually all other rights.

This clearly is a problem and something that needs to be fixed.

● (1555)

The statement of cultural industries, which represents 80 arts and cultural organizations across the country, argues that the bill may be “toxic to Canada's digital economy” and has a lot of concerns about the bill. The bill needs to be changed and fixed. If there is goodwill from the government to do that, and it acts in good faith, then maybe that is possible to do.



*Government Orders*

**Mr. Paul Calandra (Parliamentary Secretary to the Minister of Canadian Heritage, CPC):** Mr. Speaker, could the hon. member expand a bit on some of the discussions she had with the stakeholders with respect to online piracy and how we could do a better job to ensure Canada would no longer be a haven for online pirates?

We know that in Europe there is much greater support for TPMs and that has not actually reduced the availability of content online. Does she have any rationale for thinking Canada's less stringent use of TPMs through the bill would somehow reduce the availability of content for Canadian consumers? How can we on one hand suggest that we will protect Canadian consumers, but on the other hand try to bring forward a levy that would make it far more expensive for consumers to access these types of products?

**Ms. Libby Davies:** Mr. Speaker, we believe a bill can be formulated that strikes the right balance. Unfortunately, this bill does not do that. I have a whole list of organizations and individuals. I mentioned one, Michael Geist. I mentioned the statement of cultural industries. However, many other organizations and individuals are bringing forward very legitimate concerns, not only on the digital locks but on other issues. They include the Writers Guild of Canada, the Samuelson-Glushko Canadian Internet Policy and Public Interest Clinic, the Society of Composers, Authors and Music Publishers in Canada, Howard Knopf, who is a patent lawyer, the Society for Reproduction Rights of Authors, Composers and Publishers, and the list goes on and on.

It is very difficult to deal with the individual aspects of the bill. This is why what we want to hear that the government is committed to hearing what these people have to say in committee and that it is willing and open to addressing the inconsistencies and problems within the bill.

**Mr. Scott Simms (Bonaville—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, I am not sure if I agree with the statement about TPMs being harsher in other regions of the world. Other people dealt with the same issue, when digital locks were really stringent in the beginning, and then eased back on some of those restrictions later on, especially when it dealt with the education exemption.

One thing that gets overlooked in the House, and also gets overlooked in the bill, is the issue of artist resale rights. Basically, it allows artists in many other countries, especially Europe, to gain a percentage of sales as they sell their works of art. This would be a great situation for Canadian artists. As the art appreciates in value over the years, that percentage will certainly be beneficial, especially in the aboriginal communities where we have a lot of art at play. Could my hon. colleague comment on that?

• (1600)

**Ms. Libby Davies:** Mr. Speaker, again, I know in my community we have very well-known and renowned artists who travel internationally and have shows. Our ability to support our artists in the international setting is very important, but it is also important to ensure that as artistic creators they have some control over their work, that where wealth and value is produced, they have the ability to share in that. That is a very important principle.

**Mr. Jasbir Sandhu (Surrey North, NDP):** Mr. Speaker, over the last six months I have heard a number of debates in the House. From what I have seen in the last six months, the Conservatives are against small businesses because they will be increasing taxes. They are against veterans because they cut their funding. With this bill, it would appear they are against the consumers. Could my hon. colleague elaborate on that?

**Ms. Libby Davies:** Mr. Speaker, that is one of the problems with the bill. It includes some very onerous provisions in terms of public access, but it also has problems for artists. I guess we could add two more groups to the list the member has brought forward, and that is consumers and artists. Many of these groups want to speak out on the bill.

Again, we want to know if the government is willing, in good faith, to work on the bill, to hear what people have to say at the committee and to fix the flaws in the bill.

[Translation]

**Mr. Matthew Dubé (Chambly—Borduas, NDP):** Mr. Speaker, I am very pleased to rise to talk about this bill. In Quebec especially, we understand the importance of protecting our creators and being able to use their creations. That is the crux of the NDP's position on this bill. A balance must be struck between protecting consumers and allowing them to contribute to our culture in that way, and the creators' right to be adequately protected.

In my speech, I am going to address a specific aspect of the bill: its impact on education, and opportunities for teachers to teach and for students to take advantage of what is provided for them during their studies.

By way of introduction, I am going to cite a few interesting statistics. Libraries are increasingly popular in Quebec. There has been an uptick in revenue and the number of items loaned by libraries since 2002. It is worth noting that in 2007 alone, there were about 300 million items loaned out by libraries in Quebec. There is a clear trend in terms of Quebecers' desire to share and participate in this creation, in culture, in education and in teaching.

Having said that, I have had the opportunity in recent months, since the beginning of my mandate, to meet with many stakeholders on this issue, particularly from the education community. For example, the Fédération des associations étudiantes du campus de l'Université de Montréal, the Association of Universities and Colleges of Canada, and the Canadian Alliance of Student Associations have all had an opportunity to share their opinions on this bill. Having referred to these groups, I would now like to turn to their opinion of this bill.

The major problems with this bill have been discussed on several occasions, but I would like to revisit the issue of fair dealing. The bill has a clause that pertains to "fair dealing" in an educational context. It is important to stress that other clauses in the bill contradict the concept of fair dealing. Allow me to explain.

*Government Orders*

To begin with, there is the concept of digital locks. This is the kind of proposal that requires a collaborative effort on the part of both government and opposition members. As my colleague from Vancouver East mentioned, we agree entirely that in this digital era, in 2011, it is very important to take a look at technology and its potential impact on creations and copyright. However, in the case of digital locks, there is no fair deal for students and teachers. They would be treated in exactly the same way as an individual flouting copyright.

That means that if a student or a teacher uses a creation that is available in a digital format for purposes that do not breach copyright, they would be punished in the same way as an individual engaging in piracy. It would be tantamount to breaking the law and breaching copyright. The other factor that impinges on fair dealing is the mandatory destruction after a five-day period of digital documents obtained via inter-library loans.

When you are a university student, you often have an opportunity to take part in programs for sharing between various libraries. When I was attending McGill University, I was able to borrow documents from other universities such as the Université de Montréal, Concordia University and the Université du Québec à Montréal—UQAM — and it was very helpful. Not all universities have expertise in every subject and they do not all have the same resources. So this allows a student or professor to share various resources and thus to expand their knowledge and the knowledge of the people they teach.

● (1605)

In this case, it is completely absurd to say that the documents should be destroyed or returned after five days. To think that in five days a student will be able to get everything they need out of the documents they have borrowed and be able to use them in their work for the purposes of education is to fail to understand what life is like for students today.

This is the kind of thing we could rework to be sure we find a happy medium, to take into account the reality of the digital era in 2011 and at the same time allow students to get the full benefit of works that have been produced precisely to contribute to their education.

And the third point that runs counter to the fair dealing aspect in this bill is the destruction of course notes 30 days after the end of a session. Once again, this presents a problem, because we are talking precisely about copyright, when the student has already paid for the copyright attached to their course notes. They contributed to that process, and they would be obliged to destroy their course notes.

This is not the only problem. First, a student who has already participated in a process and who wants to benefit from a situation and benefit, by personal use, from the education they have paid for is being prevented from doing that. That being said, we are talking here about private and personal use and not public use, which actually would infringe copyright. And second, this situation also affects professors who want precisely to adapt the material so they are better able to work with students who need special material because of a disability, for example.

This problem has been raised by the students I have had the good fortune to meet during my term, and in my opinion it is a very serious problem.

I also mentioned that we have had an opportunity to meet with professors. That is interesting, because often, at the university level, professors are not just the people who communicate the information in question, they are also the creators, the authors in this situation. I am thinking in particular of the people at the Fédération québécoise des professeurs et professeurs d'université, who were so kind as to share their concerns about this bill with us. Specifically, they talked about the three points I have just mentioned, which run counter to the concept of fair dealing. But they also talked, in their own way, about teaching their courses better.

That is a very important point, because not only would students have to destroy class notes, but the course instructors would also have to destroy their course plans. And that is problematic. First, course instructors have to start somewhere. They have to learn from their own mistakes or successes in doing their job. They should be able to reuse a course plan—something they created from whatever was available—to do a better job the next time or improve on a job well done.

There is another, similar problem: course instructors are often asked to come up with innovative ideas and improve how they do their job, but they are also asked to find ways to keep youth interested and make the education system and teaching interesting. If the instructors know they will be forced to destroy their work 30 days after a session ends, where is the incentive to work hard to improve the process? They will not want to put in more time than necessary, knowing full well that in a year or in four or six months, they will have to start over. Those are a few of the issues that come up.

To conclude, as my colleagues said, we are looking for a compromise. We know that we need to adapt to the digital age and that important provisions need to be implemented. However, this needs to be done for creators and consumers, not for the large corporations and big businesses that will reap the benefits to the detriment of our creators and users.

● (1610)

**Mr. Tarik Brahmi (Saint-Jean, NDP):** Mr. Speaker, I thank my hon. colleague and neighbour from Chambly—Borduas. I really liked his approach and his perspective when he talked about the fact that, when it comes to academic work and students, the goal is not to make money, but really to enhance students' knowledge and enrich this country through our students.

I wonder if my colleague could elaborate on the point of view of students, specifically, the fact that they do not want to profit or make money from course notes, but rather enhance knowledge and improve the lifeblood of the future.

**Mr. Matthew Dubé:** Mr. Speaker, I thank my hon. colleague and neighbour. We share a very beautiful region. That said, he raises an excellent point, because I think that is where we wanted to go with our comments and arguments about this bill.



*Government Orders*

For instance, the United States has the Copyright Act, which protects schools, libraries and their staff—including librarians, researchers, teachers and users such as students—in situations in which, as we know, the use of the information and the creations in question is meant to benefit the individual, the student in this case, in the context of his or her instruction and education. In such a context, I think any reasonable person would agree that this use does not infringe copyright. No one is trying to pirate anything or do something that goes against the interest of an author or creator; rather, they are simply trying to improve themselves and take part in a dialogue when it comes to artistic, cultural or other creations.

[English]

**Mr. Paul Calandra (Parliamentary Secretary to the Minister of Canadian Heritage, CPC):** Mr. Speaker, I hate going back to this section, but the bill just simply does not say, as the member for Trinity—Spadina and the member said, that students will need to burn their school notes after 30 days. It is simply not in the legislation. I am not certain why the NDP continues to suggest to Canadian students that they are going to be forced to burn their school notes after 30 days when it is just simply not in the bill.

Could the member point out the section where it specifically says that students will need to burn their notes with respect to the course material? It is not the section he is reading, because I read it in French and English and it does not say that. It says nowhere in the bill that students will need to burn their course notes.

The second point is about balance. The member says that we need to protect creators, but then he says that those creators who want to protect their works with a digital lock are somehow wrong.

How does putting a levy on consumers protect or help consumers? How does it make it more affordable for consumers by putting on a levy such as the NDP is suggesting?

• (1615)

[Translation]

**Mr. Matthew Dubé:** Mr. Speaker, there are many points to address in my colleague's comments. I will try to do so in the time available to me.

First of all, I would say that we are not talking about punishing creators. I do not see a contradiction in what I said because, in this situation, we are talking specifically about having a certain flexibility in the bill with respect to appropriate uses, as in the case of education. Naturally, if we are talking about an artist who makes music or a movie, for example, in that case we are very open to finding ways to protect creators and to ensure that they receive their fair share because they make a substantial contribution to our society. At the same time, it is very important to point out that, in this case, we really are trying to make exceptions for students for the purposes of education to improve our society.

I will quickly touch on the other point mentioned by my colleague. The bill does not specifically state that students have to burn their course notes. However, it is understood that this is implied by the bill. These are concerns expressed to us by students and professors, and not the other way around. As the elected members of this House, we must convey the concerns of the people in an environment that benefits greatly from these creations.

[English]

**Mr. Jasbir Sandhu (Surrey North, NDP):** Mr. Speaker, I rise today to speak to Bill C-11, the copyright modernization act.

This bill is a redirection of Bill C-32 from the last Parliament, that contains sweeping changes to our copyright laws and it has received a huge amount of opposition. I have received hundreds of letters from my riding, which I will talk about later.

The copyright modernization act in this country is long overdue. There is no doubt about that. Changes need to be made. Unfortunately, my Conservative colleagues have taken the wrong approach on this and the result is that Bill C-11 is filled with holes and problems. Conservatives could have used the expert opinions heard in committee to help draft this legislation or they could have followed the findings of their own consultations in 2009. Instead, as we have seen many times, they ignored the facts, and they have also ignored the facts from the experts, and ended up reintroducing fundamentally flawed legislation. This does not reflect the best interests of Canadians and might end up doing more harm than good.

I have received hundreds of letters from my constituents and talked to a number of them over the phone. Here are some of their concerns. They say that their rights are trumped by an all-encompassing protection for digital locks and that the empty circumvention provisions included in Bill C-11 give too much power to corporate copyright owners to exercise absolute control over Canadians' interaction with media and technology. The letters say that they are concerned about the bill's unintended consequences generated by the broad protection for digital locks and they do not want to hand control of Canadian digital rights over to corporations.

I am going to read some of their names so their opposition to this bill will be recorded in this House. I received letters opposing Bill C-11 from: Christopher Madge, Tyler Goulding, Kyle Geddes, Nick Gailloux, H. Hinkel, Michael Leung, Philip Qumsieh, David Martin, David Lysne, Lance Hathaway, Reg Natarajan, Darya Smirnow, Quinton Weir, Bill Dagoe, Rod Kovacs, Amanpreet Bains, Vah Jazle, Luke Zukowski, Alex Weatherston, Michael Ross, Daryl Christensen, Owen Morley, Sally Hawkins, Colinda Lovely, Ross Smirnov and Gloria Maria Fredette.

These people are moms and pops, consumers, educators, professionals. They come from different backgrounds. They cover a very wide perspective in opposition to Bill C-11.

I responded to these constituents by telling them that New Democrats believe strongly that Canada's copyright legislation needs to be brought into a digital age, that we need to fix this. There is no doubt about it, from this side of the House, and we have pushed to make this happen. Members have heard the speeches we have made here this afternoon and no Conservative is speaking up on this particular bill. New Democrats share the concerns. I share the concerns that my constituents have shared with me and that is why I am speaking here today, on their behalf.

• (1620)

New Democrats believe that access for consumers and remuneration for artists are crucial to copyright in a digital environment. Rights that are guaranteed to citizens under existing copyright legislation should not be overridden. Furthermore, we oppose the digital lock provisions that go well beyond our obligation under the WIPO copyright treaty.

Another concern is that this bill offers consumers rights they will not be able to exercise. The blanket provisions for digital locks would allow corporate interests to decide what legal rights people may or may not exercise, which would ultimately hurt artists, educators, students and, of course, many other consumers.

Unless the government is willing to amend the digital lock provisions and restore royalty provisions for artists, frankly, I cannot support Bill C-11. There are measures within the bill that New Democrats cannot support and measures that we can support. We would like to see this deeply flawed piece of legislation improved and I request that of my colleagues opposite.

We would like to amend the digital lock provisions to make sure that there is a balance between the rights of creators to protect their work and the rights of consumers to access content to which they are legally entitled. We want to make sure that students and educators have fair access to works in the classroom. I encourage the minister and members of the government to listen to the concerns of citizens across this country. Educators, students, artists and many others are writing letters, signing petitions and speaking out against the glaring problems contained in this flawed legislation, Bill C-11.

There are many groups validating our position: the Writers Guild of Canada; the Society of Composers, Authors and Music Publishers of Canada; and over 80 arts and cultural organizations from Quebec, British Columbia, Ontario and across the country. I encourage my colleagues to listen to their concerns so that we can make amendments that make sense for Canadians and we can have a balanced bill that works in the best interests of Canada.

We need to create a fair royalty system for creators, one that supports the digital economy and the creation of creative content by Canadians. Copyright laws in Canada can balance the right of creators to be compensated fairly for their work and the right of consumers, educators and students to have reasonable access to copyrighted content.

We need to make our copyright laws better, there is no doubt. New Democrats are willing to work with the Conservatives to move this copyright bill into the 21st century. I urge my colleagues to listen to the suggestions that we have offered to amend the bill and make it better, so that we can move into the new digital age.

• (1625)

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, I was listening to my colleague's speech and I wanted to raise something really important to all Canadians. It is about jobs and the economy.

I would like to mention an industry that he should be aware of because it is a huge industry in British Columbia and in Quebec. It is the video game industry. I will give an example. A video game

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company spends literally tens of thousands of hours to put together a video game. This intellectual property is very important to them for their business model. Theoretically, a member of Parliament in the NDP could take that video game and, because of the technology, the member could break that lock and upload it onto the Internet. Everyone around the world could now be utilizing that intellectual property, that video game that the creator or the industry put tens of thousands of hours and millions of dollars into developing it.

I see that as a fundamental breach of personal rights and property rights. If the NDP holds onto this position, as the member has said, the NDP will not supporting any piece of legislation that has digital locks, hundreds of jobs in British Columbia would be lost and hundreds or thousands of jobs in Quebec would be lost.

I was wondering how the member could reconcile this. Different models can be put forward on the Internet. People can download and share games in different ways. However, if I, as a consumer, choose to buy a video game that has a digital lock, what is wrong with that? What will the member say to all of his constituents in British Columbia who could lose their jobs because of this irresponsible policy of the NDP?

**Mr. Jasbir Sandhu:** Mr. Speaker, it is funny that the member talked about jobs. We have lost 72,000 jobs in the last month and that is because of economic inaction on the government's part. We have been encouraging the government to get an economic policy in place so that we can generate jobs. I am glad the member is talking about jobs. Small businesses are the ones that generate jobs in this country. They are the drivers of our economic engine and yet the government will be raising taxes on small businesses beginning in the new year.

I want to answer the member's question very briefly. We need to take a balanced approach. I urge my colleagues to work with the NDP so that we can have a balanced copyright modernization act.

• (1630)

**Mr. Scott Simms (Bonaville—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, my hon. colleague from Oshawa makes some good, valid points. I think we are getting off the topic of copyright again.

However, before we go on, he is right in the sense that there is a fundamental role for digital locks played in that particular area. As a matter of fact, I think digital locks for the video game industry is a good thing. It is a fundamental concept of protecting the investment to which the member spoke.

The problem is that the digital lock becomes the ultimate machine in the operation, if I can use that term. There are no ways to test, like he burn test, the burn convention test, and the three-step, six-step test, those sorts of thing, that allows, in certain circumstances, such as education, to circumvent that digital lock, the flexibility and freedom of fair dealing. I think that is at the core of it. The points from the member from Oshawa are correct.



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Unfortunately, because the digital locks have gone that far it does not give us much flexibility, so the balance that he is seeking here could be worked out with things like a six-step or a three-step test process?

**Mr. Jasbir Sandhu:** Mr. Speaker, absolutely. We have been pushing to work with the government, not only on this bill but many other bills, co-operatively to look at solutions and how we can move forward as a country, whether it is on the omnibus bill, the gun registry or the Senate reform.

The NDP has put forward a number of amendments and solutions. We need to have a balanced approach. I would agree with what my colleague has said, that we need to have that balanced approach.

**Mr. Kennedy Stewart (Burnaby—Douglas, NDP):** Mr. Speaker, I am pleased to rise today to speak to Bill C-11, the copyright modernization act.

As my colleague said earlier, we believe that changes to the Copyright Act are long overdue and we need to bring Canada up to current standards in the tech industries and to meet industrial standards in other countries.

As we can tell from the debate in the House today, this is an extremely complex issue. There are many interests to be considered and it should not be rushed through. That is why we are saying that the overwhelming message from this side of the House is that we have to take in the interests of all groups when we are moving ahead with such a complex piece of legislation.

The key word that we should focus on is balance. We need to find the right mix between the different interests in Canada and to ensure the bill strikes the right balance and that one group is not favoured too much over another group. We, on this side of the House, believe that the bill does not actually hit the right mix and does not actually provide the right balance.

For example, we have heard a lot of talk today about digital locks. We are saying that the provisions on digital locks are too stringent. They tip the balance too far in favour of the very big corporations and do not really look after the interests of a number of consumers and, in fact, may actually hurt artists, not the large corporate artists but the smaller artists.

There is a real danger that consumers will be unable to access content they have already purchased, for example. This tips the balance toward protecting large corporations and not really allowing consumers full access to something they purchased. In some sense, it will actually be more like renting the information than owning it.

We think the bill is tipped too far in favour of industry and needs to be rethought. This whole debate reminds me of the same debate we had in the 1990s concerning drug patents. There again, the balance was not achieved between consumers and businesses. Consumers and one part of the drug industry ended up on the short side of the stick, where the giant pharmaceutical companies ended up with most of the benefits.

I will take hon. members back to that time. In 1992, Brian Mulroney's Conservative government modified the Patent Act under Bill C-91, the Patent Act Amendment Act. The bill eliminated compulsory licences for pharmaceutical products and the law tipped

the balance to patented drugs manufacturers and greatly injured mostly Canadian-based genetic drug industry. There was a huge controversy.

The number of responses that my colleague from Surrey has mentioned and that we have all received on this all say that there is huge controversy on the proposed bill, that we are just rushing through it and that again we are tipping the balance too much toward industry.

In this case, in the reform of the Patent Act in 1992, we really hurt the generic drug industry. Drugs are now more expensive and the R and D that was promised by the giant pharmaceutical companies was not actually invested in Canada as was promised. Bill C-91 was viewed by many as a major victory for giant pharma. It offered greater patent protection to those big companies, it abolished compulsory licensing and it created regulations to ensure generic drugs did not infringe upon the patent.

As we argued in that case and we will argue in this case, we need to look at all the people who would be affected by the bill, and we are not feeling that the current bill, Bill C-11, hits the right mix.

We do think, however, that modernization is long overdue, as we have stood up and said many times in the House. However, the bill has too many glaring problems and, unfortunately, it even creates problems where none currently exists. The ultimate test of bad policy is when we actually cause more problems than we are fixing.

We have suggested and will continue to suggest a system to create a fairer royalty system for creators. These industries generate a lot of profits but we want to ensure they are shared evenly among creators.

I find it troubling how Bill C-11 would wipe away millions of dollars in revenue for artists, local artists, artists from the Canadian Independent Musical Artists. It would hurt this community and it really would not provide any new opportunities for artists' remuneration. It would give with one hand and take away with the other.

● (1635)

Many people share our fears. We on this side of the House are not making this up. We have had plenty of people say that they are against this. For example, the Society of Composers, Authors and Music Publishers of Canada, which is a group I used to be part of when I was a professional musician, say that these:

...copyright law amendments should facilitate access to creative content on new media and ensure that creators are fairly compensated for the use of their creative content on new media. Access must go hand in hand with compensation. Without this balance, the creation of creative content will eventually decrease, as Canadian creators will be unable to make a living.

As a former independent artist, we all know that local artists do not make any money from selling albums. They make money from playing live. We are not talking about Céline Dion or Bryan Adams or any of the large, multinational corporate type of entertainers. We are talking about local entertainers. For example, we are talking about Joel Plaskett Emergency, Stars, The Weakerthans, Said The Whale, Caribou, D.O.A., Arkells, City and Colour, Dan Mangan, Valentines and Billy the Kid, just to name a few artists who are working to produce material to entertain and bring joy to people's lives. They are being left aside under this copyright legislation.

The government tends to favour the big corporations, but does not look after the smaller producers. I will give a sense of what independent artists make. They make about \$12,000 a year. I know this having been one of those artists in the past, I know that members from Toronto and northern Ontario have performed in independent Canadian bands and have travelled in what I deem to be stinky bands, driving from venue to venue. However, artists are not making a lot of money off their album sales. They use their albums to promote themselves and try to draw people to their live gigs where they make their modest living.

The bill should look at the majority of artists in this country who are independent artists eking out a living and make sure that we strike a balance with the laws we are putting in place, not only to protect large corporate interests but also to make life easier for the artists and all the people they entertain.

Other validators of our position on this bill include Michael Geist, a well-known technological commentator. He says:

The foundational principle of the new bill remains that anytime a digital lock is used—whether on books, movies, music or electronic devices—the lock trumps virtually all other rights.

Again, this is where balance has not come into play in the bill. In fact, it is a bit of overkill that we have seen time and time again from the government. It is tipping things too far to one side and not really taking the interests of all Canadians into consideration.

Mr. Geist says that the new digital lock means that “both the existing fair dealing rights and...new rights all cease to function effectively so long as the rights holder places a digital lock on their content or device”.

I will switch as an educator again and speak about the textbooks that I have authored. It is a shame that, under the bill, students, in some cases, would be penalized from keeping those textbooks and using them later in life. They would essentially, as my colleague says, need to burn them because they are digital, which would limit education in this country. Everyone knows that we do not absorb all the information from a textbook. We go back and refer to it as we go through life.

The legislation misses the mark. We need more balance and we are hoping to work with the government to achieve that.

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● (1640)

[Translation]

**The Acting Speaker (Mr. Bruce Stanton):** Before moving on to questions and comments, it is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Vaudreuil-Soulanges, Infrastructure; the hon. member for Beauport—Limoilou, Small and Medium-Sized Businesses.

[English]

**Mr. Gordon Brown (Leeds—Grenville, CPC):** Mr. Speaker, I listened closely to the hon. member's presentation. It is clear the NDP and the member will not support the bill. Earlier we heard earlier the member for Trinity—Spadina say that the bill was all about pleasing American movie studios.

The fact is that foreign location production is at \$1.5 billion annually. Film and TV production generated more than 117,000 full-time job equivalents in 2009-10, including 36,000 in foreign location and service production. A lot of jobs are at stake. We have heard that many companies are concerned about the fact that Canada is very much an outlaw in terms of protecting intellectual property.

The hon. member represents a riding in Vancouver and Vancouver is an area that has benefited from much of this film production. Would the hon. member not agree that we really need to protect investment in Canada, even in his own city of Vancouver?

**Mr. Kennedy Stewart:** Mr. Speaker, that question points out to me how the government has missed the point here. It is not that we are against modernization. It is not that we are against helping companies protect their interests or their intellectual property. What we are against is how far this legislation would go, and it is too far. As with the patent drug act in the 1990s, it will hurt other sectors of the Canadian industry that really need to be protected.

I hope the government will look at the legislation again because there are deep flaws in it.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, the bill does send some mixed messages to individuals who are following this debate. On the one hand, we recognize that jobs in the gaming industry for example, whether in Winnipeg, Vancouver or Ontario, are important and valuable. We also recognize that individuals have the right to protect their interests. On the other hand, this legislation gives us serious concerns because it deals with what a student at a local university would be able to keep, that the student would have to dispose of homework. A lot of university students love to keep the work they did during their studies. Some of them will keep it for years. Could the member provide his thoughts on that issue?

There are some good things in the bill, but there are also some things which would have a profound negative impact.

● (1645)

**Mr. Kennedy Stewart:** Mr. Speaker, as an educator for decades and as somebody who writes textbooks, what often happens is students are not aware of what they are learning as they go through their courses, but it is only upon further reflection that what they are learning sinks in deeply.



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From my understanding, 30 days after a course ends a great deal of the material that a student might collect has to be destroyed. That is contrary to my sense of what learning actually is. The government has to take another look at this because that is not going to move Canada ahead. It is going to undermine our education system. The government has to have another look at it.

**Mr. Jasbir Sandhu (Surrey North, NDP):** Mr. Speaker, I also want to share concerns from my area. A couple of universities are in my riding, Simon Fraser University and Kwantlen University.

My colleague has quite a bit of experience as he was a professor at a university. Would he comment briefly on the impact this legislation would have on educators and students?

**Mr. Kennedy Stewart:** Mr. Speaker, my colleague from Surrey North is a fine educator of high repute in his own right.

The problem is this law is so complex that the ramifications have probably not filtered down to universities and colleges and perhaps even to high schools. That is why we need to discuss this more. The government should ensure that it consults a bit more and talks to universities to find out what they will do to ensure that education continues in the way it should.

**Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP):** Mr. Speaker, I am pleased to rise today in the House as a representative for the people of Scarborough—Rouge River to join this debate. The issue of copyright modernization is on the minds of many of my constituents and I am happy to bring their concerns forward today.

Copyright modernization is definitely required to bring Canada into the 21st century and to catch up with the technological advances that we have seen since the creation of the existing copyright legislation. We need to reform our copyright legislation in a way that will create a balance between the two fundamental principles that drive copyright legislation: ease of access and the right of remuneration for the creator.

Bill C-11, which is exactly the same as Bill C-32 that was brought before the previous Parliament, does not create balance between the ease of use and the right of remuneration. Instead, the bill is about corporate rights, which is different from copyrights.

The right of artists to have remuneration for their copies is under direct attack point after point in the bill. Instead, there are areas in the bill where the right of artists to be paid is taken away and replaced by a false right, the right to lock down content.

The Conservative government is very partial to locks. We know that. It really understands prisons and locks.

In the introduction to the bill, we heard the minister say that the digital lock would restore the market. I am very skeptical about that. Through my conversations with constituents and friends in the music industry, I have never met an artist who could feed his or her family on a lock. Instead, these artists feed their families on the right they have as artists to be remunerated through their mechanical royalties, television rights and book rights. Mechanical royalties provide a small amount of return for their efforts, but that return is crucial to them, especially to young aspiring new artists.

Therefore, when the government comes along and attempts to strike out, as it does in the bill, the mechanical royalty rights that have been guaranteed under the Copyright Board of Canada, it deprives artists of the millions of dollars that actually make it possible to carry on the works. How is this restoring the market? I do not understand.

The other crucial element, one which New Democrats have asked for again and again, is copyright reform that addresses the needs of Canadian consumers, artists and students in a digital realm. This element is one of huge importance to my constituents.

The bill poses a fundamental problem with its education provisions. The restrictions it would impose on students and teachers are extremely problematic.

Copyright has historically been based around the idea that creation and knowledge must be shared. Historically, copyright law has been designed to facilitate education. Actually, the first piece of copyright legislation ever adopted was Britain's act for the encouragement of learning. Canada's original copyright legislation was designed with similar intentions. The reforms in the legislation proposed by the bill do not, unfortunately, maintain the same founding principles and completely ignore the original intent of copyright legislation in Canada.

The Scarborough campus of the University of Toronto and the campuses of both Centennial College and Seneca College border my riding. The restrictions imposed by Bill C-11 are of great concern to the instructors, professors, students and administrators of these colleges and university as well as other colleges and universities across the country, as I speak to them as the official opposition's critic on post secondary education.

The legislation would require students to dispose of their digital class notes after 30 days, as well as destroy course plans and course notes by professors and instructors after 30 days of the completion of their course. Failure to do so would mean that these students would be infringing copyright legislation. This raises a number of red flags for me. How does this facilitate education?

With advances in technology, more and more students are accessing their post-secondary education in a variety of new ways. Through the use of technology, we can now offer programs in distance learning. This means that students in remote locations, or in locations where their course of choice is not available, can access courses and course material online. With the changes to the copyright legislation that are proposed in the bill, this course material will only be available for 30 days. After such point, the students will be required to dispose of the material at the end of their course.

● (1650)

This change would not only pose a problem to those pursuing their education online, but to virtually all students. Anyone who has been enrolled in a post-secondary education program or who knows someone who is enrolled in a post-secondary education program recently understands the shift in the digitization currently being made by professors and instructors at many institutions of post-secondary education. I recently attended three of them.

More and more instructors and professors are not only posting their notes, their course outlines and their lesson plans online, along with an array of the supplementary course materials, but they are also providing online forums that encourage the sharing of notes and the continuation of discussion once the lesson is completed for the day.

With the reforms proposed in this legislation, posts that students have put up would now have to be deleted or removed after 30 days. This would be problematic for many reasons, as many of my colleagues have mentioned.

First, this creates a modern book-burning regime, whereby countless sources of information and new thought will be lost forever.

Second, it creates a two-tiered rights system between an analog and paper system versus a digital system, whereby students who keep written notes are not be forced to destroy those after 30 days and students who keep digital notes are be forced to destroy them. The mandatory destruction of course notes and material is detrimental to all students. Students routinely keep their notes to allow for them to go back and use these notes for further study and completion of related courses. Also, students keep these notes year after year to build a body of work toward getting their degree, certificate or diploma program.

I kept notes from my second and third year courses to use in my masters program and textbooks from my undergraduate degree for my masters program. Now I would not be able to do that.

Last, it creates an unfair barrier to students with different learning styles. This legislation does not allow for an exemption to organizations that provide educational resources in alternative formats to increase accessibility and success of those with learning disabilities. It discriminates against people with learning disabilities.

Related to this, many students are not capable of taking notes, for a variety of reasons, and have notes taken and provided to them by note-takers. Note-takers are of huge importance to the success of many students. Without these note-takers, post-secondary educations would not be accessible to these students. Note-taking also provides a small income to those who attend these extra courses and provide others with notes.

How would the notes of note-takers be affected by the proposed legislation? Would this not hurt them along with the students they provide the notes for if they have to be destroyed?

It is completely shocking and absurd that after 30 days students would not the right to access their own class notes that are made digitally. I have met with many people throughout the education sector and I have never once heard that the destruction of class notes

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after 30 days is a good idea. In fact, I have heard the complete opposite. This provision is unacceptable. It is backward thinking and it is needless. It would not protect any business model, but it would have a major detrimental effect on students and on education in our country.

Therefore, for the betterment of our society, that provision has to go. I implore the government to look at this and ensure that it is removed.

The other issue that is of great importance to me and my constituents is that of the digital lock. There is a very important right of creators to protect their work. One of the ways to protect this work is through digital locks. While the protection of a creator's work is extremely important, the anti-circumvention rights for content owners included in the legislation would create a situation in which digital locks would supersede virtually all other rights, including fair dealing rights for students and journalists. Because of this, a situation would be created where digital locks would supersede other rights guaranteed in the charter, such as changing format in case of a perceptual disability. It would also pose a very real danger that consumers would be prohibited from using content for which they had already paid. This would be problematic for many artists and many creators in my community.

\* \* \*

● (1655)

### **MARKETING FREEDOM FOR GRAIN FARMERS ACT**

BILL C-18—NOTICE OF TIME ALLOCATION

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, we know that Canadian grain farmers have what it takes to succeed in an open market, as demonstrated by the staggering growth in recent years of farmers' production of canola and pulses. In order for farmers to realize the potential they have, we need to provide them with certainty for the upcoming growing season and pass Bill C-18 before we rise for Christmas.

I must advise that an agreement has not been reached under the provisions of Standing Orders 78(1) or 78(2) concerning the proceedings at report stage and third reading of Bill C-18, An Act to reorganize the Canadian Wheat Board and to make consequential and related amendments to certain Acts. Under the provisions of Standing Order 78(3), I give notice that a minister of the Crown will propose at the next sitting a motion to allot a specific number of days or hours for the consideration and disposal of proceedings at those stages.

**Mr. Kevin Lamoureux:** On the same point, Mr. Speaker, I just want to make it very clear that the Liberal Party of Canada does not support the actions that are being taken by the government, knowing full well that a vast majority of prairie grain farmers—

**The Acting Speaker (Mr. Bruce Stanton):** Order. This is in the form of a notice under a standing order. It is not debatable. The member may know that debating this point is not in order.

The House appreciates the information from the hon. House leader. I am sure members will find the information important for the proceedings.



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● (1700)

**COPYRIGHT MODERNIZATION ACT**

The House resumed consideration of the motion that Bill C-11, An Act to amend the Copyright Act, be read the second time and referred to a committee, and of the amendment.

**The Acting Speaker (Mr. Bruce Stanton):** Questions and comments, the hon. Parliamentary Secretary to the Minister of Health.

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, I was listening intently to my colleague's speech and I want to ask her a question about jobs and the economy.

She comes from Toronto, where one industry that relies on digital locks is the video game industry, as I mentioned a little earlier. As a consumer, I have the right to purchase copies of video games in many different formats and utilize them in many different fashions. For example, I can go online and find companies that will sell previews of their games. If people like a game, they can sign up and do it month by month. One business model is to purchase one copy of a game on a disk and utilize that game for one's enjoyment. The business relies on that model to employ thousands of Canadians in her riding and the area of Toronto.

I believe in property rights myself. It is a fundamental right that if I own property, I should be able to utilize it at my desire. If a company wants to sell a locked copy of a digital game, which is its business model, and I as a consumer want to buy it, what is wrong with that? We have heard over and over from New Democrats that they are not going to support any legislation with digital locks, but Canadian jobs depend on this in the member's community. What is wrong with consumers choosing to purchase a certain format and utilizing it as they wish? What does the NDP have against that?

**Ms. Rathika Sitsabaiesan:** Mr. Speaker, jobs are being lost in this country. There were 72,000 full-time jobs lost in one month. I see that as a big problem. I know that many of my constituents are in precarious employment situations right now and that many of them probably did lose the good full-time jobs that the member across is speaking about, but copyright legislation was created to protect the creators and to have a balance between the rights of creators and consumers. This legislation does not respect that balance.

**Mr. Scott Simms (Bonaville—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, once again we have gotten off the rails in our debate, which is on the idea that digital locks have become way too powerful. Smashing a mosquito with a sledgehammer is a little much, and we end up without the flexibility around this issue that we need in order to be successful.

I agree with my colleagues about the video game industry and how digital locks protect that investment. There is no doubt that they do, but I would be careful in marrying oneself to the idea that we have to legislate around a particular business model by which this legislation will change every year, not just every five years, as this legislation would suggest.

My question for the hon. member is about the consultation process. What I find particularly egregious is that we have heard from a few particular people and should probably hear from them

again at committee, because she, as a new member, has not heard them yet. I would like her comments about all the people who should be involved in the special legislative committee.

**Ms. Rathika Sitsabaiesan:** Mr. Speaker, it is important for me and for many of the new members of the House who did not have an opportunity to participate in the consultation process during the last Parliament to hear not only from corporate Canada, large movie-makers and industry but also individual artists, educators and students who are being affected by this legislation.

This legislation affects and boosts not only large industry players; it also affects the small people, the individual students, the universities, the colleges, the professors and the textbook authors who will now have to ensure that their textbooks will not be available to students 30 days after the completion of their course. That is problematic for me.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I rise to speak on Bill C-11, An Act to amend the Copyright Act, joining other colleagues who have found some of the aspects of this bill problematic.

I am going to approach this bill a little differently from the way some other members have. I think we need to recognize the context of where we are at second reading. This bill is going to go to committee. What I would like to do is dedicate my remarks and focus on a rather direct appeal to members on the government benches to take the opportunity to seize a victory that they could have by putting forward a bill that would have the support of all the groups that are now being critical. I do not think that is impossible at all.

We recognize that there have been some improvements. There is general agreement by all knowledgeable people in this area that we need to modernize the Copyright Act and that we have significant challenges with new technologies. I sometimes think about this place, this room, this House of Commons, and try to imagine our predecessors in Parliament in the 1930s trying to grapple with what we are speaking about today. It is all new, and it changes fast.

Almost as quickly as we might legislate this bill, we will find that we need to make additional changes to deal with new implications and new ways in which copyright becomes recognized and the way in which copyright is challenged creative rights need to be protected.

What I would like to do is concentrate my remarks not in attacking the bill so much, although I do have to attack sections of it, but with a goal of hoping that when this bill goes to committee, amendments will be allowed.

We have seen a worrying trend in this 41st Parliament; it is as though amendments to legislation after first reading are somehow incremental defeats of the government of the day, whereas in fact it is common practice in Parliaments around the world, and certainly in the Canadian Parliament, to recognize that a bill at first reading is not perfect. It can use improvement, and using the committee in as non-partisan a way as possible will bring improvements to the legislation.

When I look at this legislation and what the government has said, I see in the preamble, which always guides statutory interpretation:

...the Government of Canada is committed to enhancing the protection of copyright works or other subject-matter, including through the recognition of technological protection measures,

—and this is the important part—

in a manner that promotes culture and innovation, competition and investment in the Canadian economy;

It goes on to say:

And whereas Canada's ability...is fostered by encouraging the use of digital technologies for research and education;

A tremendous balancing is being suggested here and is being aspired to by the government in its preamble. It falls short, but we do not need to be condemnatory; there is much in the bill that is an improvement. The problems that remain tend to focus in one specific area, and that area has been referenced a good deal in the debate today: digital rights management and the use of devices and technology such as digital locks.

That is just a preamble to my point. We also see in the very beginning of the bill, in the preamble, that the Government of Canada wants our legislation to meet new global norms. It specifically refers to the World Intellectual Property Organization, which I will just refer to as WIPO. That WIPO treaty is one to which Canada wants to adhere.

However, numerous commentators have pointed out that the legislative approach in this bill exceeds anything required by WIPO. I am hoping that the government can pull back slightly—in a significant way, actually—from the parts of the bill that members on the opposite benches find unacceptable. Really, the government has accommodated a lot of concerns and has improved the bill. I know it is virtually the same as Bill C-32 in the last Parliament, but it has gone through some improvements from its first iterations. We are close.

Government members on committee, with the direction from the Prime Minister's Office, I am sure, taking a keen interest in this bill, could actually accommodate the different concerns of critics and emerge with a bill that would earn praise across all parts of the House of Commons.

Professor Michael Geist has been referred to in the debates this afternoon. He is a professor at the University of Ottawa and is the Canada Research Chair in Internet and e-commerce law. I found his comment quite appropriate to my own sense. He criticized the bill initially as flawed but fixable. He still holds to that view—flawed but fixable—so let us fix it.

What he said he finds problematic is that as he sees it, the bill is an omnibus bill that combines two different pieces of legislation.

• (1705)

The first piece is the part that I think I can speak for all members of other parties, but I think it is fair to say that most members in the House find the first bit, which he described as the copyright modernization act, to be quite acceptable, generally good. Maybe some of the restrictions go too far, but overall, it is good progress in copyright modernization.

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He describes the other part of the law, which we find unacceptable, and he has given it a title, "The reduce U.S. pressure copyright act". The problems have emerged in that area.

The problems are in two areas, and I will refer to the first. Briefly, it is constitutional. The constitutional problem is simple to describe. Copyright is clearly an area of federal jurisdiction, whereas property rights are provincial. To the extent that we have intruded into property rights, we have a problem. This has been described in a learned article published by professors Crowne-Mohammed and Rozenszajn, both from the University of Windsor, in the *Journal of Information, Law and Technology* in which the authors describe the problem this way:

The DRM provisions of Bill C-61 represent a poorly veiled attempt by the Government to strengthen the contractual rights available to copyright owners, in the guise of copyright reform and the implementation of Canada's international obligations.

Let us de-link them. Let us protect the rights and protect copyright reform without acceding to pressure from U.S. interests, which want to have excessively restrictive controls in the form of digital locks. That is setting aside the constitutional issue.

The next set of concerns I would like to raise really relate to public policy concerns. One of the very strong groups of critics on this matter is the Public Interest Advocacy Centre. I should confess that the Public Interest Advocacy Centre was the organization that initially brought me to Ottawa in 1985. I left a law practice in Halifax to become senior general counsel to the Public Interest Advocacy Centre, not really a conflict of interest but a convergence of my history. I wish to quote their legal position:

Consumers enjoy certain rights to use content without infringing copyright. The presence of technological measures doesn't change that, and neither should anti-circumvention laws. Consumers must be able to circumvent technological measures, like DRM, providing that their access to the underlying content does not infringe copyright.

It goes on to say, "Anti-circumvention laws shouldn't statutorily undermine the values that are invoked in public policy goals such as consumer welfare, free speech, and innovation". That is a public policy concern that comes from the Public Interest Advocacy Centre.

As members throughout the House will know, the bill has been criticized by many groups, but those criticisms are not in multiple sections of the act. They focus very clearly on the problem of digital locks.

Another group that has taken the digital lock section in its crosshairs is the Canadian Internet Policy and Public Interest Clinic, also based at the University of Ottawa. They point out:

Unfortunately, the bill also succumbs to U.S. pressure and makes fair dealing—including the new exceptions for the many ordinary activities of Canadians—illegal whenever there is a "digital lock" on a work. A digital lock will trump all other rights, forbidding all fair dealing and keeping a work locked up even after its copyright term expires. Overall, these digital lock provisions are some of the most restrictive in the world.



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This again is an issue where we are exceeding what is required of us to meet international norms under the WIPO Treaty. The digital lock provisions go too far.

We have heard from members opposite on the government benches that the bill needs to do all these things because we must protect Canadian jobs. I just want to speak to that.

The Canadian arts and culture industry, as we realize, is a very important part of our economy. It is a \$46 billion industry annually. It employs over 600,000 people. The government should take note of the fact that most of the professional organizations that represent the creative force in the arts and culture community collectively and separately have called on the government to amend the legislation, have urged it to amend the legislation.

I will not read out all the names of the organizations, but there is an organization to which I also confess to belong, the Writers' Union of Canada, but beyond that there is also the Royal Canadian Academy of the Arts, Société québécoise des auteurs dramatiques, and the Writers Guild of Canada.

• (1710)

Therefore, I ask the government to consider, why would it be that just about every organization in the country representing creative people appreciate some portions of the bill and find others go too far? With that, I ask the hon. members opposite to please consider amendments, improve the bill—

• (1715)

**The Acting Speaker (Mr. Bruce Stanton):** Questions and comments, the hon. member for Leeds—Grenville.

**Mr. Gordon Brown (Leeds—Grenville, CPC):** Mr. Speaker, I know my friend from Saanich—Gulf Islands has put some effort into learning about this issue.

I was first elected back in 2004. I sat on the heritage committee. We heard at that time that Canada had signed the WIPO agreement back in 1997 and yet in 2004 it had not complied with what it had in fact signed. We are now almost 2012 and still we are not compliant with WIPO.

I chaired the special legislative committee on Bill C-32. We heard from 100-plus witnesses. A lot of work has been done on this.

I know that the hon. member has spoken about some very positive aspects in the bill. There is one aspect I want to ask her about because in one part of the bill there is a provision for a mandatory five year review.

The digital economy is changing rapidly. Is that something the member sees as a positive aspect of this bill?

**Ms. Elizabeth May:** Mr. Speaker, any piece of legislation that includes a mandatory review is a good idea. However, I have had a lot of experience with mandatory five year reviews. I recall the first mandatory five year review of the Canadian Environmental Protection Act. The review took seven years.

I do not think we can count on mandatory reviews every five years, when we know we have an opportunity right now to get it right. Therefore, let us get it right in committee, bring it back to the

House at report stage for its passage, and have it go on to the other place with the digital lock provisions fixed.

This is a rare piece of legislation and that one fix will bring most of the critics on board.

**Mr. Jasbir Sandhu (Surrey North, NDP):** Mr. Speaker, we have seen over and over where the Conservatives have been inflexible. They have been very extreme in their measures, whether it is the omnibus bill, the amendments being introduced by the opposition, or the gun registry data that the province of Quebec wants to use to establish its own gun registry.

Does the member think that a balanced approach would be more acceptable?

**Ms. Elizabeth May:** Mr. Speaker, I do. This is a piece of legislation that is so close to fixed that it is in fact fixable. There is one form of pressure, which we believe comes from U.S. interests that want excessive protection through digital locks.

If we look at what Canadians are saying, namely, legal experts, academic experts, and those in the vast field of creativity, whether they are songwriters, writers or artists, they are all saying one thing; that is, fix the digital lock provisions and then we will have a bill we can support.

**Mr. Scott Simms (Bonaville—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, my hon. colleague is well-read on this issue. She talks about the preamble very eloquently and brings up some aspects that were pointed out to me, especially with respect to the five year review. Sometimes when one thinks about it, that is even too long itself.

She mentioned WIPO, which was signed around the mid-nineties. It seems as though every time technology pushes ahead, the legislation's regulations are way behind and trying to catch up on how it works. For example, look at how long it took Tim Hortons to catch up with a cafe latte. That is an idea of what we are talking about.

Therefore, if we look at it in this particular sense, I would like the member to comment on artists. One of the glowing omissions to me pertain to artist resale, which is an intensive issue throughout Europe and the world really. For some reason, it is not taken as seriously here.

**Ms. Elizabeth May:** Mr. Speaker, there are a few holes in the legislation. I have spoken primarily to the digital lock provisions and to the conflict that exists constitutionally. However, there are a number of places where the artists' interests are not adequately protected.

One that comes to mind is what is called the YouTube exemption, where user-generated content might be exempted in order to allow things to be posted on YouTube without going back to the creator and without ensuring that this will really work in the interests of our creators.

Other members have said this today. Most of the people in the artistic community in Canada are not Céline Dion. Most are struggling and producing their income through their performances. They need to protect their creative material. This legislation goes some of the way, but fails to protect them as completely as they should be protected.

• (1720)

[Translation]

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, I too am pleased to take part in the debate on Bill C-11. I have been listening for some time to the speeches, comments and remarks made by members on both sides of the House. I feel like I am back in the previous Parliament, when the same legislation, namely Bill C-32, was introduced. Unfortunately, the government does not seem prepared to accept the proposed amendments.

The government often tells us, and members opposite like to mention, that hundreds of people appeared before parliamentary committees, particularly the Standing Committee on Canadian Heritage, regarding this issue. They say that everybody was heard. I do not think so, as evidenced by the fact that, in the end, the government came back with a cut and paste version of Bill C-32. It sure did not listen much to those who spoke on this issue, because no changes were made.

Yet, as my colleague mentioned a few moments ago, it would have been possible to make the necessary changes to this bill. Many people, including composers, are currently experiencing problems because of the new ways used to record music. After expressing their views, they would have liked to see some changes in the new Bill C-11, so that copyright is truly respected and artists, who do not work for free, can be paid based on the fair value of their artistic or creative work.

It is the same thing with piracy. Some witnesses who appeared before the committee when we were dealing with Bill C-32 told us that this legislation did not really deal with what is happening now with the new technologies, which allow people to steal works at will. Obviously, this is also not an issue that was examined when Bill C-11 was drafted because, as I said, it is a cut and paste copy of Bill C-32.

Consequently, there is no way the Bloc Québécois can support Bill C-11 in its present form. It was the same thing with the previous legislation. Our position was exactly the same.

Since I am short on time, I shall limit my comments regarding the Conservatives' bill to the issue of copyright. I do wish to say, however, that a fundamental principle has been forgotten in this bill, and that is that artists need an income to survive and to continue to create. Had this simple principle been upheld—a principle that undoubtedly in the eyes of everyone here is nothing but common sense—we could perhaps have talked business, so to speak.

I would like to remind the House that almost a year ago, on November 30, about 100 Quebec artists came to Parliament to express the opinion I just stated. The brother of our acting leader, Luc Plamondon, was in attendance. Robert Charlebois, Michel Rivard and Richard Séguin were also there. I met someone from my riding, the artist Dumas. All of these people came to Parliament Hill

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to tell the heritage and industry ministers, as well as the entire Conservative caucus and every member of the House of Commons, that they wanted nothing to do with the copyright bill that the government was bent on introducing.

I do not think I would be far off the mark if I were to speak on their behalf today and say that they still hold this opinion, since the bill has not been amended.

We know that no one can work for free. If we stop paying artists royalties for their copyright, if we literally take away their livelihood, consumers will also lose out, as they will be deprived of new artistic creations.

We know how things work today. I am a good example of this. I am no whiz kid when it comes to technology. My younger brother is more technologically minded. He is perhaps more of an expert in technology than I could ever be, but what I do know is that I bought a little iPod to jog with. I have a second one that I carry around with me and use in my car. I download music legally. I make purchases, pay the charge, and then I enjoy the music that I have downloaded to my iPod. The upshot is that I am no longer a big consumer of CDs. My wife always asks me what I am going to do with the hundreds of CDs I have collected over the years. I am a little nostalgic and, I guess, conservative—this is perhaps the only area in which that is the case—but I want to hold onto my CDs. They are more of a souvenir than anything else.

• (1725)

Even if there is a compact disc player in the car and at home, people always end up plugging in the iPod. Given that artists are selling fewer and fewer CDs, they have to be able to receive payment for their work in return. If I do not pay them, the artists will no longer produce music, having no resources to do it. So I have just penalized myself because I cannot listen to them any more. I referred to Dumas earlier. I have bought his CDs and I downloaded his last one to an iPod. I have done the same thing for Vincent Vallières. I did not buy his CD, I downloaded it. But these and other artists, France D'Amour and company, have to receive royalties for that.

Nowhere in Bill C-11 do we find solutions to this problem. At present, creators are not receiving their due. The Conservatives refuse to let them have royalties for the use of their works on new media: MP3s, the Internet, iPods and so on. I do not want to be advertising for anyone here, but everyone has them these days. The Conservatives are engaging in enormous demagoguery when they say we want to tax purchases of those devices. In any event, royalties are already being paid. We used to pay them on blank discs and cassettes. That is another problem my wife and I have. I have kept my old cassettes in big boxes. We paid royalties on blank cassettes so the artists could receive their due. Today, those media have changed to MP3s, iPods and so on.



### *Private Members' Business*

We are in favour of a reform of the Copyright Act, but not the reform presented by the government in its Bill C-11. With this bill, the government claims to be protecting creativity. But creators themselves do not share that opinion, including all the ones I listed earlier and many others who returned to the charge on the Hill some time ago. Nearly all MPs had an opportunity to meet with artists who told them the same thing.

Artists' associations have come out against the bill in its present form; they include the Association des professionnels des arts de la scène du Québec, the Association québécoise des auteurs dramatiques, the Conseil des métiers d'art du Québec, the Regroupement des artistes en arts visuels du Québec, the Société des auteurs de radio, télévision et cinéma, the Société professionnelle des auteurs et des compositeurs du Québec and the Union des écrivains et des écrivains québécois. There are also associations of performers like the Guilde des musiciens et musiciennes du Québec and the Union des artistes. And there are copyright collectives like the Society for Reproduction Rights of Authors, Composers and Publishers in Canada, the Société de gestion collective de l'Union des artistes, the Société québécoise de gestion collective des droits de reproduction and the Société québécoise des auteurs dramatiques. And that is just for Quebec. There are other associations elsewhere in Canada that have said they are dissatisfied with the bill as it now stands.

I want to get back to users and consumers. All of these groups, collectives and organizations work directly with artists. We could say that the users and consumers watching at home who are less familiar with the bill—Bill C-11 is rather technical—will be happy with Bill C-11, since they will be able to more freely use any works they have acquired. At least that is what the government claims. But I want to tell the government that the Canadian Consumer Initiative, which includes the Union des consommateurs and Option consommateurs, has spoken out against the fact that with its copyright bill, the federal government is once again abandoning consumers by giving in to corporate demands.

We are told that the consumer rights provided for in the bill to strike a balance could be restricted or even denied by the entertainment industry. This bill causes problems for both creators and consumers. It must be amended before the members of the Bloc Québécois will support it.

• (1730)

**The Acting Speaker (Mr. Bruce Stanton):** The hon. member for Richmond—Arthabaska will have five minutes remaining when the House resumes debate on the motion.

It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

## PRIVATE MEMBERS' BUSINESS

[Translation]

### EMPLOYMENT INSURANCE ACT

**Hon. Denis Coderre (Bourassa, Lib.)** moved that Bill C-291, An Act to amend the Employment Insurance Act (waiting period and

maximum special benefits), be read the second time and referred to a committee.

He said: Mr. Speaker, there are times in our lives as parliamentarians when we can and must make a difference. On June 2 of next year, I will celebrate 15 years as the member of Parliament for Bourassa. Every day brings its share of wonderful surprises and small pleasures, and most importantly, we have the opportunity to meet with people who help us do a better job. The person I met with—who is watching us now and to whom I pay tribute—has met most representatives of the political parties. I am talking about Marie-Hélène Dubé.

Unfortunately, following a third relapse of thyroid cancer—she is doing better and we wish her the best—she noticed that there was something unfair about the Employment Insurance Act. Since 1971, there has been no change to the act regarding benefits for persons who have suffered a serious injury, have a serious illness or, due to their individual circumstances, cannot enjoy a normal standard of living. She has cancer, children, and noticed that she was not entitled to the 15 weeks of employment insurance benefits. Obviously, we can always look back and ask what we did when we were in power. We made changes concerning family caregivers, and we did what it took, but it is time in my opinion to play a leading role on this issue.

It is not the first time that this bill has been discussed. We in the Liberal Party have done so, as have we. The NDP and the Bloc Québécois supported it, and members from the Conservative Party did so as the minority government at the time was sympathetic to this cause. It is therefore in a spirit of non-partisanship that I stand before my colleagues and call on them to support my bill, C-291. This will achieve two things. First, it will extend the benefit period from 15 to 50 weeks. Second, there is the infamous two-week waiting period. When you are faced with a major and tragic event in your life, when you are receiving chemotherapy, when you have children to look after, a two-week waiting period is an eternity. It does not make sense. For purely compassionate reasons, I do not see why this person would have to wait two weeks before receiving her first payment.

Honestly, I do not understand the 15-week benefit period. Some have brought forward a petition and have worked with Marie-Hélène in Vancouver. Some people are forced to remortgage their houses, others have to take a part-time job when they are able to work, and then there are those who have to deal with specific family circumstances, and in most cases these are single-parent families. It is not easy.

The role of a government, of a Parliament, is to improve people's quality of life. We do not need to ask 25 questions. It is only logical, since our role is to ensure that our constituents live a decent life. Some of them are terminally ill. The least we can do is tell them that they do not have to worry about other problems. Increasing the benefit period from 15 to 50 weeks would be a good way to tell Marie-Hélène and the 500,000 petitioners that we support them. The NDP has presented a petition. I myself have presented petitions signed by over 75,000 people, and the Bloc Québécois has also done so.

If we turn to our families, if we look at our friends and loved ones, there is not likely one member here who does not know someone who is going through this exact situation right now. Unfortunately, cancer is everywhere. I think it is our role, through this private member's bill, to bring them a little peace of mind. It is called solidarity. It is called dignity. This bill could be called "an act to ensure dignity for those who are suffering". This is not a partisan issue. This is not to say that some people are better than others. There is no point in talking about what was done in the past. This is to say that, right now, we are looking towards the future and working together to tell Marie-Hélène Dubé and everyone else going through this problem that we support them and we are working with them.

• (1735)

There are other people, like Carlo Pellizzari of Vancouver, who has lymphoma and, at the age of 26, is facing a situation similar to that of Marie-Hélène. Like her, people decided to not only sign the petition but also bring this situation to our attention.

Our role today is to invite everyone who is watching the proceedings of the House to first sign this petition and to then continue to exert pressure. They can sign the petition on Marie-Hélène's website, which is found at <http://petitionassuranceemploi.com/en/>.

The site provides information and a brief explanation of the situation. Basically, there is a call for an amendment to subsection 12 (3) of the Employment Insurance Act, which would provide some relief for people in this situation. Unfortunately, as I said earlier, they are often in the terminal phase of the illness. However, I believe that it is important for us to do this.

We in the Liberal Party have taken similar action in certain cases. Clearly, this is not the first time that we have reviewed matters related to employment insurance. There are precedents in which, as a government, we took certain action. For example, we increased the period for parental benefits from six months to a year.

The Employment Insurance Act is living legislation. It is economic legislation that requires flexibility. Sometimes, we have to help people who are having difficulty. We cannot be perfect and we cannot fix everything at once, but with this ode to tranquility and dignity we are acknowledging that there are times in our lives when we have to take action. We have conducted pilot projects. When it comes to employment insurance, there are realities and situations specific to the regions. That is why I am putting myself in the shoes of these men and women who are going through extremely difficult times. Do we think that—and forget about the lists or documents that the government would have us read—we can in all decency tell a person with cancer or a person who has sustained a serious injury that he or she will receive 15 weeks of benefits?

Some of us here have had cancer or are in remission and we know that it can take 5 to 15 weeks or even more to recover from chemotherapy or radiation. Imagine what it is like for people in this situation. They are being told that they have completed their chemotherapy and that they are still sick but that they will not receive any more benefits. It is not right. It does not make any sense. Let us ask ourselves this question: when someone is in that situation, is it right that they should have to wait for two weeks before they

receive their first cheque? There are quick ways to eliminate this waiting period.

I would like to pay tribute to my colleagues who brought this issue before the House before me, namely Jean-Claude D'Amours and Michael Savage. These people from my party moved this forward. The member for Acadie—Bathurst has also worked on this file, and my colleague from Jonquière—Alma will be talking about it shortly. It is truly non-partisan. We need to reach out, show solidarity and work together to make a difference. I did not reinvent the wheel. This is not my work; it is the work of a Parliament that has experienced this sort of situation. I had the opportunity and pleasure to table a bill so that we could find a concrete solution to this situation.

• (1740)

[English]

Everybody knows of a friend, a member of his or her family, or a constituent who lives in that situation. Our role is to ensure that those people who have already suffered enough have the capacity at least to take care of their kids, and to ensure they do not have that social pressure.

Some of them lose their jobs. Some of them have to take out another mortgage on their homes. They are suffering enough. The least we could do as parliamentarians is to raise the number from 15 weeks to 50 weeks. Also, instead of waiting for two weeks before getting their first cheque I think those people should get them right away.

In a non-partisan way, I am asking all my colleagues to make that gesture of solidarity and support my bill.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Madam Speaker, I want to commend the hon. member for Bourassa for his efforts to help people who are unemployed receive benefits sooner.

I wonder whether he has any thoughts on the difficulties that people who have become unemployed in the current economic downturn are having. I am certainly getting complaints about this. They are waiting so very long just to get someone on the phone to help them find the way to get their benefits.

[Translation]

**Hon. Denis Coderre:** Madam Speaker, there are far too many examples.

There is a problem with personal service. People are waiting on the line and are told that their call is important; press 1 if there is an issue; press 2 if they would like to have the question repeated; press 3 if they want a break. And their call might be answered in the next 15 minutes.

That is the problem. I have nothing against technology, but there is nothing better than personal service and a human voice. At the very least, if the service cannot be personal, the process should be. And when people call Service Canada, they should be able to get an answer.



*Private Members' Business*

Unfortunately, too often, staff are hired temporarily as a way of avoiding having to create permanent positions. We cannot defend the indefensible. I agree with the hon. member. Not only should people be treated decently and receive more benefits without a waiting period, but unemployed people who have needs should also have their calls answered.

**Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP):** Madam Speaker, thank you for giving me the floor.

I also thank the hon. member for Bourassa for reintroducing this bill which, as he mentioned, is an extremely important measure. I am also pleased that we recognize the non-partisan nature of this initiative because, as the hon. member mentioned earlier, that bill was presented to the House before and the time has come to pass it in a non-partisan fashion.

The hon. member for Bourassa referred to Marie-Hélène Dubé, who is a fellow citizen of mine in the riding of Alfred-Pellan. I salute her today. Marie-Hélène, our thoughts are with you. I wonder if the hon. member could elaborate on the human side of this bill and on its non-partisan nature. I wonder if he could also tell us why it is so important that we all get together to pass this legislation.

● (1745)

**Hon. Denis Coderre:** Madam Speaker, the difference between a government and a business is that a government must first and foremost look after people. When the economic situation becomes uncertain, the role of the state is to ensure that we help the poor and those who are experiencing difficulties. That is why at the time, even when I was a minister, when decisions had to be made, we always had to keep in mind that citizens, that people were most important. We made changes—to which I referred earlier—to parental benefits and other things. We tried a number of times. The bill was not adopted for all sorts of reasons, but today the reality speaks for itself.

For example, cancer is everywhere. In the case of most single-parent families, it is women who have the responsibility of holding the family together. If, in addition to that responsibility, these women must deal with a disease and do not have the means to support their children, are we going to tell them, after 15 weeks, that they will have to rely on social assistance? In Maslow's hierarchy of needs, self-esteem is at the top of the pyramid. Our role is to ensure that people are always at the top of the pyramid and that we work to protect their self-esteem.

I know that the Bloc Québécois and the NDP agree on this, and I know that, deep down inside, Conservative Party members will have to make a decision to that effect. When we talk about the economy, we must talk about helping people. If there is one important thing that we must do now, which would not cost hundreds of millions of dollars but which would have a definite impact on our community, it is to pass this bill.

**Mr. Claude Patry (Jonquière—Alma, NDP):** Madam Speaker, I am addressing my dear colleagues today to urge them to support Bill C-291, which would create an employment insurance system that is fairer and more just for Canadian workers.

This bill would amend the Employment Insurance Act to extend the maximum period for which special benefits for illness, injury or quarantine may be paid from 15 weeks to 50 weeks. It would also eliminate the two-week waiting period in these specific cases.

As members of Parliament, we all aspire to improve the economic situation of workers, and as we work to that end we are confronted every day with new and bigger challenges in the House of Commons and in committee. However, before we look at new issues or new studies, is it not time we reviewed what is no longer working and what should be modernized? Before offering generous tax cuts to the richest among us, is it not time we took care of families, workers with no job security and the disadvantaged members of society?

When it comes to special illness benefits, the Employment Insurance Act has not been amended since 1971. So it is not surprising that it no longer meets people's real needs today. It must be amended to adapt to Canadians' realities, which have changed since 1971.

Some members may be having déjà vu with this bill. I will admit that this is not the first time it has been introduced in the House of Commons. The NDP has always called for a fair and modern employment insurance system that is adapted to Canadian workers' needs. Furthermore, we want to abolish the two-week waiting period. I should point out that this measure was in the NDP's platform for the May 2, 2011, election. Eliminating the waiting period in the case of special illness benefits is a step in the right direction.

We cannot simply blame the Liberals for dipping into the employment insurance fund, which had a \$57 billion surplus, nor can we fault them for not fixing things when they were in power. What we must do is support what they are currently proposing, since they are actually adopting the NDP's position on employment insurance. Above all, we must think about the most vulnerable members of society and leave partisan politics to our adversaries.

We must not forget that when it comes to employment insurance, we are talking about money that belongs to the workers and the employers and not to the government. We have to remember that the Conservatives refused to return that money to the EI fund and chose instead to create the Canada Employment Insurance Financing Board, whose objective is to limit the account surplus to \$2 billion.

The account is currently running a deficit. The Conservatives should use all or at least most of the surplus to improve special illness benefits. It is time the Conservatives realized that the money in the employment insurance fund does not belong to them. They have to manage that money to meet the needs of the public.

I want to take a minute to talk about the case of Marie-Hélène Dubé, a young, 40-year-old mother dealing with her third bout of cancer in five years. She circulated a petition to extend the period of employment insurance benefits payable in the case of illness. To date, she has collected almost half a million signatures. Ms. Dubé even appeared on the popular television program *Tout le monde en parle* last March.

What is more, the NDP has publicly supported her initiative on several occasions. It is important to underscore her determination and the strength of her commitment. For this courageous woman and for everyone suffering from a serious illness, I ask that you to vote in favour of the bill, in the name of solidarity and compassion, but especially in the name of common sense.

Only 15 weeks of benefits to recover from an injury or a serious illness is simply not enough. We want to alleviate the financial burden for people affected by an illness or a serious injury so that they can focus on healing without having to worry about how they are going to pay their bills, pay their rent or feed their children.

The Conservatives are quite simply out of touch with reality.

● (1750)

Unfortunately, what they say is not what they do. They say they want to help the economy and cut useless programs, but they are harming families and reducing the present and future purchasing power of workers who are struggling with health problems that are often temporary. I will say it again: taxpayers' money should go back to the people.

In 2008, when the Canada Employment Insurance Financing Board was created by the Conservative government, the Canadian Chamber of Commerce, the Canadian Labour Congress, the Canadian Federation of Independent Business and the Canadian Institute of Actuaries stated that the employment insurance operating account needed a surplus of at least \$15 billion to ensure healthy management of the program.

This surplus would have absorbed the effects of the economic crisis and could have funded the modernization of the system, including extending the number of weeks of special leave. The Conservative government had the opportunity to fix the employment insurance program in 2008 and, against the advice of experts, it chose not to.

The size of Ms. Dubé's petition, which I spoke of earlier, is proof positive that Canadians want a more human employment insurance system. Instead of wasting taxpayers' money as their predecessors did, the Conservative government should bow to the will of the people. If it wants to be seen as a defender of the economy, it needs to start by really looking at the situation and putting the money back into the employment insurance fund so that the system can finally be modernized.

A vote for Bill C-291 is a vote for workers and their families, for the most vulnerable in our society. Please, vote for common sense.

Cancer is not the only disease. There are other long-term illnesses, such as cardiovascular disease and kidney disease. Treatment for breast cancer lasts 38 weeks. After 15 weeks, how can anyone be expected to recover and go back to work? I have documents here that prove that people do not have time to heal; they have not finished their treatment and yet they have to go back to work. Some people have even lost their jobs because their employers could not accommodate them. A large portion of workers in Canada are not unionized and the only means they have for getting treatment and having an income is employment insurance benefits. Other workers have collective agreements and disability insurance that can help, but at this time, some people have nothing after 15 weeks. It is ridiculous.

If the \$57 billion that was in the EI fund was still there, we could make improvements and help these people. Now we are told that in order to manage the fund, it takes \$15 billion. It makes no sense. Just ask any member of this House.

### *Private Members' Business*

I am proud to rise in this House. I have only seven months of experience and I would like to contribute to society so that these people can get proper treatment.

I would also like to mention that among the G8 countries, Canada does not have the best-paying system. We are not among the top countries; we are among the bottom. Some countries pay up to 12 months of benefits. Generally speaking, Canada pays 15 weeks and the United Kingdom pays 52 weeks. In France, we are talking about 12 to 38 months, depending on the illness. In Germany, it is 78 weeks. In Japan, it is between six months and three years, depending on the category of employment, and in Russia, we are talking about 12 months. We see that we are quite behind the other G8 countries. They could teach us a thing or two.

What I am saying is just common sense. People want change. We are talking about illness, but not everyone needs illness benefits for 38 to 40 weeks. There is a limit. I had this data. For the plan we are talking about, it would cost roughly \$1 billion more for 50 weeks. If the \$57 billion was in the government's coffers, we would have enough money for this.

Almost 328,000 special illness benefit claims have been filed, but only 31% of the beneficiaries used 15 weeks. That means that not everyone used the maximum benefit. The average amount paid was \$334 a week. In 2009-10, the cost for illness was \$1,075,200,000.

If we are human here in this House and we think about the public and the people we represent, we should all support this bill, including the Conservatives.

● (1755)

[English]

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Madam Speaker, if I could be allowed half a minute, my mom is an avid watcher of the parliamentary channel and I have not seen her in three weeks. I want to remind her that it is November, and her pride and joy is doing this to raise money for prostate cancer, I want to make sure she makes her donation. My moustache is much nicer than my colleague's from Saint-Léonard—Saint-Michel.

I want to commend my colleague from Bourassa for putting this bill forward. The class of 2000 celebrates its anniversary next week and I congratulate two Conservative colleagues across the way on their 11th anniversary. Some say it was probably one of the strongest classes to come to the House in many years.

**An hon. member:** After 1997.

**Mr. Rodger Cuzner:** After 1997.

When I arrived here, I had certain preconceptions about employment insurance. It would be valuable for some of the new members if I give a bit of history about the changes that took place through the mid-1990s. There was a Liberal government in place that made fairly dramatic changes in the mid-1990s that sort of swung the pendulum out of favour with workers. The Auditor General had made a recommendation, because the EI fund had been bankrupt under the past Conservative governments. The Liberals put the money into a general fund. Changes had to be made to make sure that the fund was well established and well funded, and that the actuaries considered it a self-sustaining program.



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Cuts had been made that disadvantaged a great number of workers. It worked for a fair number of people, but not for everybody. When I first got here, I thought that EI should be blown up and we should start again. However, once the books were balanced, budgets were surplused and reinvestments were made in social programs, we discovered that we could make changes to the system that would be of benefit to large numbers of people. The Liberal government was able to go back to the best 14 weeks. About 38% of EI recipients were impacted by that; that is a fair number of people who benefited.

The changes increased the amount of money people were able to earn while on benefits and working, the black hole. My thoughts had changed from blowing the whole program up to working hard to try to make changes that benefit the greatest number of Canadians who needed the help most.

This brings us to today's debate and the private member's bill put forward by my colleague from Bourassa. It is probably one of the most significant changes that we could make to the EI program and it would benefit the most vulnerable and needy Canadians now. Those are Canadians who, because of illness, find themselves not able to work. Their household incomes are impacted and sometimes eliminated. The changes that are being put forward by my colleague are right and positive and I hope will be embraced by the entire chamber.

● (1800)

We have seen a similar private member's bill. My colleague from Sydney—Victoria in the 38th Parliament put a similar bill forward, motivated by two of his staff: Darlene Morrison and Lindsay MacPhee. Service Canada employees have to deliver the news to people who are trying to recover from something catastrophic like a double lung transplant, or who are battling cancer, that their 15 weeks of EI sick leave has lapsed and they are no longer eligible for EI benefits.

That is a tough message to send to someone in that state. Mentally, physically, financially and emotionally, the stress on that person because of dire circumstances is substantial. Both Darlene Morrison and Lindsay MacPhee had health concerns and went through protracted periods of time where they faced substantial challenges with their health. They were off for extended periods and lived the reality of going without a paycheque. Fortunately they had other supports.

In the 38th Parliament, the legislation passed second reading and it went to committee. As my colleague from Sydney—Victoria sat before the finance committee, he had beside him the president of the Canadian Cancer Society and the president of the Canadian Heart and Stroke Foundation. I sat in on the presentation that day and the testimony was powerful. I was moved by the support that the leaders of those two organizations offered for this change in the EI program.

They are not the only organizations. When we look over the years at the groups that have advocated for this, such as the CLC and the Building Trades Council, every major union has advocated for a change in EI because when their members experience health challenges, they know the hardship that it places not only on the members, but on their families.

My colleague from Bourassa made note of a petition that had been circulated about Marie-Hélène Dubé. If members want to read something that is inspirational but straightforward and addresses the reality, the information is online about the situation of this young mother who battled thyroid cancer.

I initially thought that an overall revamping of the EI system would best serve Canadians. In retrospect, in my experience here, we can make a difference in people's lives by supporting this private member's bill, this change in the EI regulations.

My time is almost up but I certainly want to commend the member for Bourassa for putting this important piece of legislation forward. My caucus colleagues and I look forward to supporting this piece of legislation when it comes up for a vote.

● (1805)

**Mr. Devinder Shory (Calgary Northeast, CPC):** Madam Speaker, I am pleased to respond to the hon. member for Bourassa on Bill C-291 an act to amend the Employment Insurance Act (waiting period and maximum special benefits).

I truly sympathize with those Canadians who are battling cancer or other illnesses, that last longer than 15 weeks. For example, we know that 70 Canadian men will be diagnosed with prostate cancer every day and 11 of those 70 men will die from it.

Thousands of Canadians, including my executive assistant, Kenton Dueck, my EDA president, Steven Ladd, my son, Chetan Shory, and members from all sides of the House are fundraising this month to fight prostate cancer and I applaud them for that. These battles have no partisan or political lines.

However, my colleague's bill would cost approximately \$730 million a year, which, I am sure most of us would agree is a significant expenditure of public moneys in a time of fiscal restraint. We need to ask whether increasing the maximum for special benefits from 15 weeks to 50 weeks is necessary or justifies the moneys that would have to be spent. I would respectfully argue that the targeted changes our Conservative government has made to the benefits system is a smarter way to support Canadians facing health and other life challenges.

Our Conservative government has made the employment insurance system more accessible and fair for millions of Canadians, especially in the face of the challenges many of us have experienced during the global economic recession.

There are several ways in which the federal government provides for those facing a long-term disabling illness, particularly through the Canadian pension plan long-term disability pension. This is in addition to provincial social assistance programs and private long-term disability insurance. This benefit is meant to be a temporary measure for temporary illnesses that prevent someone from working.

In a clear majority of cases, the program does meet the needs of individuals, as 70% of individuals do not exhaust the current 15-week sickness provision.

Hard-working Canadians deserve to be able to balance work and family life. Our government believes in a strong EI system, one that delivers fair and equitable benefits for those who need them most.

During the global economic downturn, our government moved quickly to preserve and create jobs and to help families, workers and businesses.

In fact, we have rebounded quite substantially. More than 600,000 new jobs have been recovered since the depths of the recession in July 2009. Our unemployment rate is now down to 7.3%, one of the lowest levels since December 2008.

However, the economic challenges are not behind us. Our Prime Minister has been clear on the direction the government will take on fiscal matters when he said, "We have sought to strike the right balance between supporting jobs and growth, and reducing our deficit in a responsible manner."

When Canada was hit hardest by the global recession, our government demonstrated its flexibility by putting temporary measures in the employment insurance program to assist Canadians, both workers and employers.

The economic downturn created exceptional circumstances for our government that required an exceptional response, and respond we did.

For example, we temporarily provided an extra five weeks of EI benefits to help those hardest hit by the recession. I am pleased to say that about 1.3 million EI claimants benefited from this initiative.

We have also helped long-tenured workers renew or upgrade their skills under the career transition assistance program. Close to 15,000 long-tenured workers have participated and around \$95 million in benefits has been paid.

We further demonstrated our commitment to help workers and employers through temporary work-sharing measures. About 300,000 employees have participated in more than 10,000 work-sharing agreements since 2009.

• (1810)

Work sharing helps employers and workers avoid layoffs, while redistributing the workload when there is a temporary reduction in the normal level of business activity. In fact, Canada has been a world leader in work-sharing agreements and governments around the world are looking to Canada's program as a model.

I should also point out that, through the Minister of Finance, we introduced a bill to support Canadian businesses that included a temporary hiring credit for small business to encourage further hiring.

Economic challenges during the global recession have placed significant pressures on the Canadian labour market and, in turn, the EI program. That is why we took decisive action to freeze premiums for 2010 and to limit the rate increase for subsequent years.

Now, this is the key. In an uncertain economic environment, a balance needs to be struck between supporting the recovery and ensuring that the program can survive over time. I think we can all agree that we want a sound system in place for many generations to

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come, for our children, our grandchildren and so on. The decisions we make today will affect the future of this program.

Our government has shown fairness by extending access to EI special benefits, including maternity, parental, sickness and compassionate care benefits to the self-employed who opt into the EI program. By extending special benefits to the self-employed across Canada, we are supporting them in balancing their work and family responsibilities.

Our government introduced a measure to extend the EI parental benefit window for Canadian Forces members who are ordered either to return to duty while on parental leave or whose parental leave is deferred as a result of a tour of duty. Supporting our men and women in uniform is simply the right thing to do. We all know they have sacrificed and put their lives on the line for Canada, so we must stand up for them when they need us.

Compassionate care benefits are available to persons who have to be away from work temporarily to provide care or support to a family member who is gravely ill with a significant risk of death. The eligibility criteria of the EI compassionate care benefit has been modified by broadening the definition of a family member. Now it can mean a sibling, grandparent, grandchild, in-law, aunt, uncle, niece, nephew, foster parent, ward, guardian or someone a gravely ill person considers the claimant to be like a family member. This what we mean when we talk about allowing more flexibility and fairness in the system.

We have taken actions to enhance and expand the EI program to help both workers and employers weather the economic storm. We have also enhanced and expanded the EI program through a number of legislative measures to ensure that it meets the needs of Canadian workers and their families in a fair and flexible way. These are real people we are dealing with, and we can never forget that.

That said, our government has a responsibility to Canadian taxpayers and we take that role very seriously. In Calgary Northeast, for example, if I ask Romi Sidhu and Pawan Sharma, who are self-employed, running small businesses, whether they want their taxes to go up, what are they going to say? Simply, they will say, "No way. You're sounding like a Liberal or an NDP." During the last election, Canadian voters were given two very distinct visions when it came to our economy. They could opt for the tax and spend Liberals-NDP-Bloc coalition, or they could choose a strong, stable, national Conservative majority government under the leadership of our Prime Minister, a government that would focus on protecting jobs and economic growth during these uncertain times.

• (1815)

We all know that Canadian voters made a clear choice and this bill, as it stands, would require a significant expenditure of public moneys in a time of fiscal restraint. For that reason, despite our greatest sympathies, we cannot support the bill.



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**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Madam Speaker, I am pleased to rise in the House to speak to Bill C-291. The member for Bourassa acknowledged, in presenting this bill, that New Democrats have been at this for a number of years. I know New Democrats have presented this bill in various forms, whether it was the member for Acadie—Bathurst or the former member, Dawn Black, from British Columbia.

I also want to acknowledge the member for Jonquière—Alma who ably outlined why the House should support the bill.

I feel quite fortunate to follow the Conservative member across the way in speaking because I feel I have an opportunity to set the record straight about some of the claims that were made.

The employment insurance fund is funded by employers and employees. It is their money. This does not come out of the general revenue fund. Employers and employees pay this money for just the kinds of circumstances the member for Bourassa outlined.

We have people who are ill. We have their families often in crisis. I heard the member say that if their EI ran out after 15 weeks, they could apply for welfare. I do not know what province he is from, but in the province I come from, British Columbia, welfare rates are not enough to pay bills. In many provinces across the country, before going on income assistance, people have to liquidate all their assets. For those suffering from cancer or some other disease that they are struggling to recover from, the member says that we will pay them for 15 weeks and then they must liquidate their assets in the middle of their chemo, radiation or whatever other treatments they are undergoing, so they can go on income assistance. That does not sound like a compassionate society to me.

I need to put a few facts on record.

First, under regular employment insurance, under the so-called progressive rules we have before us, less than 50% of Canadians now qualify, despite the fact that they may pay into employment insurance.

Second, Statistics Canada's studies show that 20% of sick leave lasts 17 months or more. They also show that 60% of these sick leaves are from 17 to 28 weeks and 40% are 29 weeks or more. Currently, only 31% of beneficiaries collect the maximum 15 weeks of sick benefits.

Despite what the government claims, we do not have massive numbers of people that will collect long-term sick benefits. Therefore, if we were to be a compassionate society, all members of the House would support the bill.

I heard the member talk about the NDP-Bloc-Liberal coalition as if that would be something scary for Canadians. The New Democrats would bring to the table the kinds of changes that have been proposed for a number of years to employment insurance funded by employers and employees, to ensure that the most vulnerable in our society are well looked after instead of saying, "Suck it up, you get 15 weeks and forget it".

A recent study called *Making It Work: Final Recommendations of the Mowat Centre Employment Insurance Task Force* made a number of recommendations. I want to touch on a couple of those

recommendations because they relate directly to the bill proposed by the member for Bourassa. The task force talks about the two-week waiting period and how it applies to all employment insurance claims, whether regular or special benefits claims. The task force makes the recommendation that the two-week benefit period should be eliminated for special benefits. It says:

After eligibility is established, applicants must wait two weeks for payments to begin. The two-week waiting period applies to special beneficiaries just as it does to individuals...

It goes on to say:

Other than cost containment, there is no clear justification for the waiting period for special benefits, and it may cause inconvenience or hardship for individuals.

Eliminating the waiting period for special benefits would have a relatively small impact on program costs. As most recipients of special benefits exhaust them, eliminating the waiting period for these beneficiaries would in most cases imply providing the same total benefits earlier.

Eliminating the two-week waiting period for special beneficiaries is an easy and affordable way to enhance support for new parents and caregivers. It would also support the reforms to sickness benefits discussed below.

I want to talk a bit about the proposed changes to sickness benefits. I think a number of us in the House have had meetings with people with episodic disabilities and the severe impact it has their ability to stay in the workforce because of the way sickness benefits are currently set up.

• (1820)

Under recommendation 17, the task force states:

TEST A CHANGE TO SICKNESS BENEFITS TO SUPPORT LABOUR MARKET PARTICIPATION OF PERSONS WITH DISABILITIES

To support the labour market participation of persons with disabilities, periodic use of sickness benefits should be tested. This would allow individuals to qualify for benefits once, and with medical certification take benefits periodically throughout the year without having to re-qualify.

It goes on to say:

There is currently no income support available to help individuals with sporadic or episodic illnesses or disabilities to remain in the workforce or to avoid other forms of assistance, such as provincial social assistance for persons with disabilities or Canada Pension Plan-Disability.

Of course even when people go on some of these other systems, there is a problem for them if they want to rejoin the workforce.

To give a rationale for this change, it states:

In coming decades, Canada will experience labour shortages and an aging population. More Canadians are finding themselves on long-term provincial disability programs. This is not an efficient use of our human capital. Canadian social programs should not create barriers to labour market participation or disincentives to work for those who would like to.

In some ways, Canada's income security framework currently categorizes individuals as either able-bodied and employable or disabled and unemployable. This blunt categorization can be demoralizing for individuals who have the capacity to work part-time and can discourage self-sufficiency. It may also place unnecessary pressure on disability support programs.

It goes on to say:

The OECD recognizes the lack of supports for employment as a primary weakness in Canada's approach to income security for persons with disabilities. "Similar to a number of other OECD countries, Canadian disability benefit systems still too often appear geared to steer people into welfare dependency and labour market exclusion rather than participation"....

Moreover, "the 'all-or-nothing' nature of most disability income supports leaves these individuals with no realistic alternative to long-term dependence on disability income programs, and no realistic opportunity to contribute to society"....

That is an important point to raise. We often hear issues around Canada's productivity, about needing to increase labour force participation. Here we have mechanisms with the employment insurance sickness benefits to encourage that very participation.

I know people in my riding, who have episodic disabilities, have approached me. There are periods of time in their lives where they are very capable of working. Sometimes they are capable of working full time for a number of months and then of course they need to go back on sickness benefits. We need to encourage that participation in the labour market and at the same time provide some income security. That is a valuable resource for employers.

I will touch briefly on the sickness benefit aspect of it.

I know we have had a number of people talk about various cases. I want to talk about the case of Jennifer McCrea. She was about eight months into maternity leave with her second child when her doctor discovered early stage breast cancer. Her doctor told her that she needed six weeks to recover after being on a maternity claim. She went to the employment insurance people and said that she needed sick benefits. She was told that since she was on maternity leave and not available for work she was not eligible for that benefit.

Imagine a young mother struggling with a new child, which can be a challenge at times, and on top of that needing some radical surgery as a result of an early detection of breast cancer being told that because of the way the rules were set up she was not eligible for EI.

Oddly enough, there was another case where Justice Marin ruled that legislative changes to the EI act were intended to give women on maternity leave access to additional sickness benefits immediately before, during and after receiving maternity and parental and that although the regulations required a person to be available for work, it was impossible for a woman on maternity leave to be available for work. Therefore, he said that there needed to be a more liberal interpretation and that the government should change the rules.

The human resources minister agreed, yet we are now in November 2011 and there are still no changes. Women are still losing that ability to have both maternity and sickness benefits where it is required.

We can cite any number of cases where a compassionate, caring, concerned society would say that we need to support people. These are some of the most vulnerable people. When people are sick, they really need that support. If we want to demonstrate that compassion and caring, as the money is there, employers and employees pay for it, members should pass the bill.

● (1825)

**Mr. Mike Wallace (Burlington, CPC):** Madam Speaker, I am honoured to talk about Bill C-291. I appreciate the bill from the hon. member from the opposite side. For myself, there have been severe

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cancer issues in my own family. I have a family member with lung cancer. It has made it very difficult for that person to work and so on. Also, in my little block alone in Burlington, Ontario, there are three women with MS. The issues are very familiar to me, not just as a member of Parliament, but to me personally.

My issue with the bill is one that I have with a large number of private members' bills. It is asking us to invest past the 15 weeks, but a proper financial analysis has not been done. I would have preferred if the mover of the motion had moved not a private member's bill, because private members' bills are making law, but a motion for the House to consider. The government could then consider the issues and the financial implications.

There are no financial implications in many private members' bills, but I challenge the members to look at the private members' bills that have financial implications. In this one, we are not sure what they are.

We have a Parliamentary Budget Officer from the Library of the Parliament who could do a review of what the financial results would be if the bill passes. I think the bill should be brought there to have a review of what it actually is so we could have an intelligent—

● (1830)

**The Deputy Speaker:** Order, please. The hon. member will have about seven minutes remaining when this bill returns to the order paper.

[Translation]

The time provided for the consideration of private members' business has now expired, and the order is dropped to the bottom of the order of precedence on the order paper.

Pursuant to Standing Order 37, the House will now proceed to the consideration of Bill C-304 under private members' business.

\* \* \*

[English]

### CANADIAN HUMAN RIGHTS ACT

**Mr. Brian Storseth (Westlock—St. Paul, CPC)** moved that Bill C-304, An Act to amend the Canadian Human Rights Act (protecting freedom), be read the second time and referred to a committee.

He said: Madam Speaker, it is an honour to be here to present a bill that is very near and dear to my heart and to the House of Commons.

I would like to begin by first thanking the people of Westlock—St. Paul for the trust that they have placed in me in a third consecutive election to bring forward their concerns in this august chamber.



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I would also like to thank my friends and family for their support and dedication over the last six years; my parents for their willingness to always pitch in and help; my children, Ayden and Eastin, for their endless patience and love; and, most importantly, my wife Amel, who is my best friend and the rock that anchors our family. Without their love and support, this job would be so much more difficult.

I would also like to thank my colleagues, both past and present, who have stepped forward to support Bill C-304, protecting freedom.

While my bill will have some technical amendments at committee stage, it would help to protect and enhance our most fundamental freedom, and that is the freedom of expression and speech. As George Washington said, "If the freedom of speech is taken away, then dumb and silent we may be led, like sheep to the slaughter".

Truly, without freedom of speech, what is the use of any other freedoms, such as the freedom of assembly or the freedom of religion?

The freedom of speech is the bedrock that all other freedoms are built on. This, along with the concept of natural justice and due process, has been woven into the fabric of our great country over the last 144 years. As we were reminded only a few short days ago during Remembrance Day, tens of thousands of Canadians have given their lives to protect these fundamental freedoms. That is why I stand before the House today.

Section 13 of the Canadian Human Rights Act eats away at this fundamental freedom. Most people are shocked when I explain to them that in Canada, right here in our own country, a person can be investigated under a section 13 complaint for having likely exposed a person or persons to hatred or contempt by reason of the fact that the person or persons are identifiable on the basis of a prohibited ground of discrimination.

The key word is "likely" to have exposed. I think we can all agree that this is a very subjective and unnecessarily vague definition, not one of the narrowly defined legal definitions that would be far more appropriate for this clause. This is where section 13 truly fails to make a distinction between real hate speech and what I often term as "hurt speech", or speech that is simply offensive.

This means that if someone has offended somebody and is investigated under section 13 of the Canadian Human Rights Act, intent is not a defence. Truth is no longer a defence. The person would no longer have the right to due process, the right to a speedy trial, or even the right to a lawyer to defend himself or herself. In fact, in 90% of the human rights investigations under the Canadian Human Rights Act under section 13, the defendants do not even have legal advice, because they simply cannot afford it. When the people of Westlock—St. Paul hear about this, they are shocked. This is simply not the Canadian way.

Facing intense criticism in 2008, the Canadian Human Rights Commission hand-picked Professor Richard Moon to provide an evaluation of section 13 of the Canadian Human Rights Act. On page 31 of his report, in regard to the repeal of section 13 and reliance on the Criminal Code hate speech provisions, Dr. Moon states:

The principal recommendation of this report is that section 13 be repealed so that the censorship of Internet hate speech is dealt with exclusively by the criminal law.

This recommendation was dismissed by the Canadian Human Rights Commission, which in turn provided a list of recommended amendments to Parliament in 2009, none of which has been implemented to date. Thus, even the Canadian Human Rights Commission has admitted with its own recommended amendments that there are serious flaws within section 13.

Section 13 of the Canadian Human Rights Act has been a contentious topic for a number of years now, and it has been widely acknowledged that it does, in fact, impede paragraph 2(b) of the Charter of Rights and Freedoms, which states that everyone has the fundamental freedom to "freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication".

• (1835)

This conflict between section 13 of the Canadian Human Rights Act and paragraph 2(b) of the charter has been reaffirmed by the Canadian Human Rights Tribunal, which found that section 13 was in fact unconstitutional in September 2009.

A common argument in favour of section 13's right to censorship and its constitutionality is the overruling powers provided by section 1 of the Charter of Rights and Freedoms, an argument that I am sure the opponents of my bill will bring forward.

Section 1 does provide a provision within the charter to ensure that all guaranteed rights and freedoms are subject to:

...such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

There are but a few issues with applying this provision to section 13.

Most importantly, section 13 lacks the ability to demonstrably justify the limits that it imposes on our society. It does not define the difference between hate speech as opposed to hurt feelings and offensive speech.

Second, how can a loosely written, highly subjective, vague law such as section 13 override the Charter of Rights and Freedoms in a free and truly democratic society?

Section 13, which is intended to protect people from extreme acts of discrimination with regard to hate messages, as previously defined by the Supreme Court of Canada, has instead been used to address differing values or opinions and impedes one of the most basic civil liberties that we hold dear to our hearts, the freedom of expression.

I believe the true issue of debate here is this: at what point and to what extent is censorship justified in Canada today?

As I debate this question, I think of my good friend and constituent Bob Herrick, from Waskatenau, Alberta.

Bob is a very bright and very successful man who, like many in his generation, has had a tremendous life and tremendous experiences to go along with it. He holds some very diverse opinions. No matter what topic we are discussing, from hunting to political philosophy, Bob loves to test our convictions and boundaries. Often while trying to challenge someone's assertions, Bob will go well beyond political correctness and often be even a little bit offensive. It is his ability and his freedom to push the limits of political correctness, however, that truly test the merit of our own beliefs. In society, when we lose the ability to test limits for freedom of expression, we also lose the ability to grow and adapt peacefully as a country.

It is through freedom of speech and expression that we change governments here in Canada, not through riots and revolts. This is one of the unique factors that sets us apart from many countries in the world.

Women such as Nellie McClung gained the right to vote by testing societal norms through expression and freedom of speech.

Layer by layer, brick by brick, our country has grown and successfully developed by utilizing and enhancing our fundamental freedoms. Today that we must continue to fight the tyrannical nature of the bureaucracy to censor free speech and to tell us what boundaries should be placed on our society and what rights we have as individuals.

One might ask how we can ensure individual freedom of speech and at the same time protect people and identifiable groups from direct harm if we repeal section 13 of the Canadian Human Rights Act. The answer to the question is that we must direct these complaints to a fair, open and transparent judicial system, one that has been tested for hundreds of years within our own country.

With the repealing of section 13, individuals would still have recourse through both the civil and criminal justice systems. Sections 318 to 320 of the Criminal Code provide protection for identifiable groups when public communications invite hatred or harm against them. The continued use of the Criminal Code to address hate messaging would ensure that all individuals would be protected from threatening discriminatory acts while preserving the fundamental right to freedom of expression in our country.

An integral component of the Criminal Code is the need for the Attorney General to approve a claim. This prevents frivolous claims or claims made because an expression merely offended another individual.

It is also important to note that the Criminal Code provides basic provisions to the defendant that are not available through the Canadian Human Rights Act. I repeat. The provisions I am about to talk about are not actually available to Canadians under the Canadian Human Rights Act. These are provisions such as allowable defences; the right to face one's accuser; the right for the defendant to recover costs if a claim is dismissed; and the right to an open, fair and transparent trial.

• (1840)

Those are just a few of the basic liberties available under the Criminal Code. This is a system that has been tried and tested, a system with checks and balances and a system with which our

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society has entrusted its fundamental freedoms and has seen fit to enforce the rule of law in our country.

John Fitzgerald Kennedy described it best when he said:

We are not afraid to entrust the American people with unpleasant facts, foreign ideas, alien philosophies, and competitive values. For a nation that is afraid to let its people judge the truth and falsehood in an open market is a nation that is afraid of its people.

Freedom of speech and the use of censorship on that freedom is not a matter to be taken lightly and should be entered into with the utmost of caution. That is why I personally find it highly alarming for our Canadian human rights investigator, someone entrusted as a gatekeeper of our fundamental freedoms, this valued freedom of speech in Canada, to claim it merely to be an American concept.

This is precisely the mentality that section 13 of the Canadian Human Rights Act is harbouring and just one more example of how unfit section 13 and the commission are to handle any level of power to censor speech in our country.

Freedom of speech is just as valued here in Canada. In fact, it is the only real tool that free and democratic societies like our own have to fight bigotry and ignorance. Any imposed censorship on this freedom must be taken very seriously and not met with casual disregard.

The solution here is not to fiddle with a broken, repetitive and unnecessary system. I believe the solution is to use the laws we already have and provide authorities with the tools and support necessary to properly and carefully enforce these laws.

The government has already announced that support to enhance the ability of the Criminal Code to better address hate messaging. This step, as well as the one year implementation period in my bill, would ensure the successful transition to a system in which true democracy and freedom of speech can thrive.

It is time we retract the power entrusted to the quasi-judicial bureaucratic system to deal with hate messaging in prevent the future abuse of the system. Freedom of speech is the bedrock upon which all other freedoms are built and, therefore, is too precious to leave under the thumb of censorship imposed by this system. Without freedom of speech, what good are our other freedoms, we may ask.

Finally, I would like to encourage all of my colleagues to stand up and protect our fundamental freedoms, the same freedoms for which we have asked our soldiers to put their lives on the line to protect time and time again. This truly is not an issue of blue versus orange versus red. This is an issue of freedom, transparency and balance for all Canadians.

[Translation]

**Ms. Françoise Boivin (Gatineau, NDP):** Madam Speaker, I would like the members opposite to be as respectful of the right to freedom of expression as they have such little respect for the right to debate. The Conservatives' like freedom of expression, but do not really like debates, as they are constantly shutting us down. At times we do have to question the logic and the merits of Conservative positions.



*Private Members' Business*

I would like to pose a question to the member who introduced Bill C-304. Being cognizant—at least I hope he is—of the different burdens of proof in the Criminal Code and the Canadian Charter of Rights and Freedoms, does he not think that eliminating recourse to section 13 of the Charter increases the burden of proof and makes it difficult to have any recourse against hate propaganda?

• (1845)

[English]

**Mr. Brian Storseth:** Madam Speaker, at the beginning of my hon. colleague's question, she talked about the ability to debate a bill. I would remind her that this is a private member's bill, not a government bill, and that it actually was the NDP that filibustered my even having the ability to speak last Wednesday.

That being said, I think it is very important that Parliament is not scared to have an open, honest, respectful debate on the important issues of our country. That is what engages the citizenry of our country.

I met with My Canada this week, which is a great youth group in our country with over 5,000 participants. They strongly endorse my bill and they endorse the ability to engage in the freedom of speech in this country and change the fundamental values of our country to mould it to the way that they see it, to the way the youth see it moving forward in our country. That is very important, because it is very true that the only real way to fight ignorance and bigotry in our country is by enhancing the fundamental freedoms, like freedom of speech, so that we can be a true and democratic society that continues to grow, thrive and foster.

**Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC):** Madam Speaker, I commend my colleague, the member for Westlock—St. Paul, for this courageous and principled initiative, which many of us in the House have known for some time, has been a necessary step to protect our inheritance of freedom of speech, which is a fundamental principle of our constitutional inheritance of our country's political values.

I wonder if the member could comment on some of the groups that have long called for the repeal of this much abused section of the Human Rights Act. I understand that there others, such as the Canadian Civil Liberties Association, the Canadian Association of Journalists, the Muslim Canadian Congress and organizations that span the entire political spectrum, from the Toronto *Star* to the *National Post*, that have all called for the repeal of this legislation.

Could the member please comment on the breadth of support and consensus that seems to exist for this bill?

**Mr. Brian Storseth:** Madam Speaker, I thank the hon. minister not only for his gracious words but his dedication to freedom of speech, freedom of religion and assembly, which he has fought for his entire political career.

He is absolutely correct. Bill C-304, protecting freedom, is not about left versus right. This has support from the Muslim Canadian Congress, civil libertarian groups and journalists across the political spectrum. The only thing lacking today is support throughout the House of Commons. I would like to see all members of Parliament set their partisanship aside and vote on an issue like this with their own principles rather than what the party whip wants them to do.

At the end of the day, it is debates like this that we need to have in a respectful fashion, but Canadians also expect us to vote our consciences when it comes to these types of issues. That is why it is so very important that we not only keep this debate respectful but that we also engage in an open, honest and transparent debate.

[Translation]

**Ms. Françoise Boivin (Gatineau, NDP):** Madam Speaker, I am not really convinced by my colleague's answer to my question, but I am very open to debate in the House, to open and willing debate by those who wish to express their opinion about an issue. A number of important questions were raised in the House and they were all quickly dismissed by the government.

I am willing to believe that this bill is sponsored by a member who is not a minister, parliamentary secretary or other government member, but that does not mean there is not a problem in the House. People are constantly being prevented from debating. I was just informed that we will be voting tomorrow, once again, to limit debate at third reading. We come to the House and are told that we will be debating a certain issue. Bills are introduced. Sometimes the bills are very lengthy and require examination from different perspectives. However, as soon as there is an objection, limits are imposed on the time for debate. At second reading, we are told that we can debate the bill during the clause-by-clause study in committee. I just came from a committee meeting studying Bill C-10. We are practically being subjected to closure again in order to end the clause-by-clause study. We are talking about 208 clauses in a bill that will fundamentally change many things.

We have been told this evening by someone opposite that Bill C-304 is being introduced to protect freedom of speech. I have a great deal of difficulty believing words like that coming from anyone on the government bench and believing in their sincerity.

The people watching us are entitled to know what Bill C-304 is all about. Basically, it repeals section 13 of the Canadian Charter of Rights and Freedoms, which prohibits hate speech.

This section was deemed to be consistent with the law by the Supreme Court. A few years ago there was a decision by a commission. It would follow the normal course. Since then, it seems to have put a chill on everyone. However, the Supreme Court had already ruled in Taylor that section 13 was within the law and that it was required in a free and democratic society.

It is important to understand that the Canadian Charter of Rights and Freedoms imposes limits on each right and each freedom. For one person, it is a right and for another, their right ends where the other person's begins.

The government has to stop scaring people, which is another one of its specialties. It is scaring people and leading them to believe that good citizens will be cheerfully brought before the courts to have their right to freedom of expression challenged and that it will cost them a fortune. There have not been tons of grievances. It is not as though everyone is running to the Human Rights Commission to file a grievance against someone for hate speech under section 13. I repeat: hate speech. The law also defines hate speech. It is not a small burden of proof. It is not just telling someone that you do not like the way they look. That would certainly not be considered hate speech.

However, I received a tweet asking me what I was going to do as the member for Gatineau about an issue that involved my former leader, who unfortunately passed away this summer, being compared to a member of the Gestapo and to Hitler by an Internet site called *Park Avenue Gazette*—not to give it publicity. It is so disgusting; it makes me sick to read things like that. People dig things up and use symbols from things that happened during the second world war and attribute it to people who are human beings. Imagine how those people or their families feel when they see such things.

We are always being told by the members opposite that the Criminal Code already provides for certain things. The member for Westlock—St. Paul did not answer my question.

• (1850)

He did not answer it, because the problem is that the burden of proof is significantly different if we rely strictly on the Criminal Code. The fact that there are remedies under a “permissible” provision and under the Criminal Code, which means indictments or summary conviction offences, as well as civil remedies or remedies under the charter is nothing new. That is the case here.

The Criminal Code is based on a different system of evidence. We can require proof beyond a reasonable doubt, while under the Canadian Charter of Rights and Freedoms, the burden of proof is somewhat less. There is a lot of window dressing involved to protect the freedom of expression. However, the freedom of expression does not give me the right to strongly criticize someone for any reason, to make that person feel like he is a nobody who does not really deserve to live.

Would that justify a remedy under the Criminal Code? I have serious doubts about this. Our crown prosecutors already have their hands full and they will have even more work with the government's Bill C-10. Therefore, I have a hard time imagining a crown prosecutor taking an interest in issues whose interpretation can vary depending on a number of things. The Canadian Human Rights Commission was a specialized organization responsible for examining a case and determining, before the matter would end up in court, whether there were grounds for complaint under the Charter of Rights and Freedoms.

We do not want that because many friends of the government—I am exaggerating here, let us just say some friends—not to mention reporters from western Canada, tried to get some things through and have been complaining for a long time that section 13 prevents them from saying everything they want to say. We live in Canada and I always thought that we should be respectful of one another, that we could disagree, but that we were not allowed to denigrate an

individual. That is what this is about. Making someone feel like a nobody, sometimes in a systematic way, has nothing to do with freedom of expression.

I cannot believe that the Conservatives want to have anything to do with these sites that disparage francophones, people who believe in bilingualism and in the French language, and people who believe this country exists thanks to two nations, including the aboriginal nations. I cannot believe they want to wash their hands of this and allow people to say whatever they want. It would be like me saying my colleague here is a so-and-so, but it is no big deal because I have freedom of expression.

I agree that it is important to have this debate and I would never want to stop it from happening. I hope that as many people as possible will stand up and talk about this and reiterate loud and clear what the Supreme Court of Canada said in the Taylor decision.

When Chief Justice Dickson upheld the constitutional validity of section 13 in Taylor, he spoke on behalf of the Supreme Court. I will close on this, but I have so much more to say. Again, my freedom of expression will be kept in check because of the limited amount of time we have to talk about this. The following is an excerpt from that ruling:

Parliament's concern that the dissemination of hate propaganda is antithetical to the general aim of the Canadian Human Rights Act is not misplaced. The serious harm caused by messages of hatred was identified by the Special Committee on Hate Propaganda in Canada, commonly known as the Cohen Committee, in 1966. The Cohen Committee noted that individuals subjected to racial or religious hatred may suffer substantial psychological distress, the damaging consequences including a loss of self-esteem, feelings of anger and outrage and strong pressure to renounce cultural differences that mark them as distinct. This intensely painful reaction undoubtedly detracts from an individual's ability to, in the words of section 2 of the Act, "make for himself or herself the life that he or she is able and wishes to have". As well, the Committee observed that hate propaganda can operate to convince listeners, even if subtly, that members of certain racial or religious groups are inferior.

• (1855)

I could go on about this at length. It is a great debate to be had and I hope Canada will not repeal section 13 of the Canadian Human Rights Act.

• (1900)

[English]

**Hon. Irwin Cotler (Mount Royal, Lib.):** Madam Speaker, the notion implied in the private member's bill seeks to repeal section 13 of the Canadian Human Rights Act on the grounds that the sanctioning of hate speech dilutes and diminishes freedom of expression, which as I said elsewhere, is the lifeblood of democracy. I agree with the hon. member that this is a bedrock principle and I have always so affirmed.

However, the premise underlying the bill, while well intentioned, is misinformed and misleading. It seems to suggest that freedom of speech is an absolute right, but it does not admit to any limitation, ignoring that all free and democratic societies have recognized certain limitations on freedom of expression. The United States, for instance, is the home of the most robust protection of freedom of speech under the first amendment doctrine. As well, my mentor and professor, the then dean of Yale Law School, Abraham Goldstein, said that freedom of speech is not an absolute right, although people continue to persist that it is.



*Private Members' Business*

All free and democratic societies, including the U.S., have recognized certain limitations on freedom of expression in the interest of protecting certain fundamental human values. For example, there are prohibitions against perjury, to protect the right to a fair trial; prohibitions against treasonable speech, to protect national security; prohibitions against pornography, to protect the human dignity of women and children; prohibitions respecting libellous and defamatory speech, to protect privacy and reputation; prohibitions against misleading advertising, to protect consumers. I could go on. Simply put, the provisions against hate speech partake in this genre of limitations to protect the rights of individuals and minorities against group vilifying speech, to protect against those discriminatory hate practices that reduce the standing and status of individuals and groups in society thereby constituting an inequality, and this may surprise the member who sponsored the bill, to protect the very values underlying free speech itself.

I will cite the Supreme Court of Canada cases of Keegstra, Smith and Andrews, and Taylor. In full disclosure, I appeared as counsel in these cases and did so as a proponent of freedom of expression, as one who has advocated for this bedrock principle before the courts. I have written extensively upon it. Hate speech itself constitutes an assault on the very values that underlie freedom of expression.

This promotion of hate speech actually constitutes an assault on that bedrock principle of freedom of expression. Moreover, this is of particular relevance respecting any proposal to repeal section 13. I made this point before the Supreme Court of Canada in the trilogy of cases I referenced earlier.

Hate speech is an equality issue as well as a free speech issue. The promotion of hatred and contempt against an identifiable group results in prejudicial harm to the individual and group targets of that hate speech. This harm-based rationale, as the Supreme Court characterized it, supports the sanction of hate propaganda as protective of equality. As the court put it, the concern resulting from racism and hate mongering is not simply the product of its offensiveness, but from the very real harm it causes. The member for Gatineau illustrated this in her remarks this evening.

Further, referencing international law, these anti-hate provisions were themselves implemented as a domestic implementation of our undertakings under international law, under international treaty provisions, to combat hate speech. Again, I cite the Supreme Court, which said that the protection provided for freedom of expression in international law does not extend to cover communications that advocate racial or religious hatred.

Similarly, the court invoked section 27 of the Canadian Charter of Rights and Freedoms to argue that hate messaging as well constituted an assault on our multicultural heritage and normative principle.

● (1905)

Accordingly, I am pleased to participate in the debate on Bill C-304. The bill would repeal section 13 of the Canadian Human Rights Act. Its effect would be to prevent claims from being brought before human rights commissions, such claims as might protect against group vilifying speech while upholding the freedom of speech and the values that underlie it as well.

I understand that the government has concerns with section 13, but the response should be not to repeal the legislation on the alleged ground that it constitutes an assault on freedom of expression, a principle which I and many members in the House are long-standing advocates, while ignoring the countervailing protective need to protect against group vilifying speech.

Simply put, the solution is not through repeal of the legislation whose constitutional validity has been upheld by the Supreme Court, but to address the concerns and to offer proposals to modify the regime that is now in place. I would urge the government to consider the possible reforms to address any valid concerns which I will outline in my remarks as preferable to outright appeal.

As members may be aware, this very section of the Canadian Human Rights Act is now under review by the Supreme Court of Canada. This debate therefore, if I may say parenthetically, is somewhat premature. We should wait for guidance from this nation's highest court on the scope and ambit of freedom of expression before entering into this debate.

That said, the Supreme Court has already provided much guidance in this area. It has ruled that as a matter of constitutional law, hate speech constitutes an assault on the very underlying principles respecting freedom of expression. The search for truth, the protection of individual autonomy, democratic debate and stability, while protecting vulnerable groups from hate messages, it promotes and protects the fundamental principle of equality.

Even if it should be found to *prima facie* infringe on freedom of speech, as former Chief Justice Dickson put it in these cases, the infringement may be characterized as a reasonable limit prescribed by law demonstrably justified in a free and democratic society. It is in that context and spirit that I offer the following recommendations.

First, the Criminal Code to which reference has been made with regard to its hate speech derivatives, has a built-in filtering mechanism through the requirement of the consent of the Attorney General of Canada for launching the prosecution. I would recommend a similar filtering provision with regard to the Canadian Human Rights Act.

Second, procedural protection could be put in place to limited complainants to one jurisdiction at a time, rather than having as we now do a barrage of federal and provincial complaints that are instituted against the same individual or group, thereby serving as what has been called a strategic lawsuit against public participation, SLAPP, that can understandably serve to chill speech.

Third, we could add a statutory definition of hatred and contempt in accordance with the definitions offered by the Supreme Court of Canada in the Taylor case itself.

Fourth, we could include a provision under section 41 to allow for the early dismissal of section 13 complaints when messages do not meet the narrow definition of hatred or contempt.

Fifth, we could repeal the provision that allows for the assessment of a punitive sanction.

Sixth, we could implement better procedural safeguards in terms of the trial process and evidentiary standard.

Finally, other reforms the government might consider include allowing commissions to award costs, thereby dissuading persons from bringing forth frivolous matters. As well, the commission could also remove the possibility of an anonymous submission so that the right to face one's accuser is better respected.

In closing, we should be awaiting the Supreme Court decision before debating this. Nonetheless, given the Supreme Court decisions that we do have, the debate we should be having tonight should be regarding how we might reform and structure the human rights commissions to protect freedom of expression while protecting vulnerable individuals and minorities from hate and group vilifying speech rather than committing ourselves to abolishing the entire regime because it has produced results which can be addressed through positive reforms, as I have indicated this evening, which would address the member's concerns.

I would urge the government to rethink its approach and consider some of the reforms I have outlined in my remarks that are intended to protect the bedrock principle of freedom of expression and the values that underlie it, as well as to protect individuals and groups and vulnerable minorities from group vilifying speech.

**Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC):** Madam Speaker, it is a great privilege for me to stand in this House today and speak to Bill C-304, An Act to amend the Canadian Human Rights Act (protecting freedom).

I fully support this bill as it protects one of our most important rights as Canadians, that being the freedom of speech. In my years on our House of Commons Subcommittee on International Human Rights, we often spoke out against repressive regimes around the world that trample the rights of their own citizens in the most severe ways, and yet, the fundamental right to freedom of speech is threatened here at home.

I am pleased that this bill proposed by the member for Westlock—St. Paul seeks to remedy just that. As members heard from my colleague before me, freedom of speech is a fundamental right that provides the basis for all other rights to thrive and succeed. Without free speech, citizens could not assemble publicly to peacefully demonstrate their opposition to government policies, an act fundamental to our democracy.

Taken further, one could say that without freedom of speech, we could not worship God, we could not practice our faith, we could not join unions or speak out during elections or at other moments of democratic participation. These are some of the very criticisms we have of totalitarian regimes.

We need only think of the recent events in Egypt and Libya, and the ongoing Arab spring, to understand that in the end freedom of speech must always prevail. Section 13 of the Canadian Human Rights Act is a direct attack on freedom of speech that is guaranteed to us under the Charter of Rights and Freedoms.

Section 13 of the Canadian Human Rights Act allows the Canadian Human Rights Commission to prosecute anyone allegedly to have said or written something likely to expose a person or persons to hatred or contempt, whether there is a living, breathing victim or not. In essence, this is like charging someone for the likelihood of breaking a law but not yet breaking the law.

### *Private Members' Business*

For those who have seen the 2002 Hollywood blockbuster, *Minority Report*, some might say it is starting to go down that path. The movie stars, amongst others, are three psychics called precogs. It depicts an eerily fictional future where the precrime department, along with super computers, labels criminals criminals before they even commit a crime. However, the system ignores its own flaws or minority reports, in the end labelling innocent people and marginalizing a whole subclass who fall outside of the societal norms as directed from the top.

While the movie is fictional, it takes the point to the nth degree. What is true in reality today is that section 13 is inconsistent with our democracy and our Criminal Code, which abides by the principle of charging someone after they commit a crime, not before.

If that is the principle our Criminal Code is governed by, why is this not the principle also central in the Human Rights Act? That is what this bill from the member for Westlock—St. Paul is aiming to do, bringing the principle of our tried and tested justice system to human rights, and consequently to the Canadian Human Rights Commission.

For a clear example of section 13 hindering free speech here in Canada, we do not have to look far. As the member for Westlock—St. Paul previously alluded to, the Canadian Human Rights Commission investigator, Mr. Dean Steacey, was asked what value he gave freedom of speech in his investigations. To me it was shocking that Mr. Steacey replied, "Freedom of speech is an American concept, so I don't give it any value. It's not my job to give value to an American concept".

I take umbrage with that. Freedom of speech is very much a Canadian concept, one that we should be very proud of and, most importantly, in this second week after Remembrance Day, let us never forget the ultimate sacrifice made by thousands of Canadians from the trenches of Europe to the hills of Afghanistan so that we could enjoy so many freedoms, not the least of which is the freedom of speech but also so millions suffering in Europe during the two world wars and in other conflicts since could also be free.

The list of those affected and stifled by section 13 is long and encompassing. Every journalist, writer, webmaster, blogger, publisher, politician, and private citizen in Canada can be subject to a human rights complaint for expressing an opinion or telling the truth on any given issue.



*Private Members' Business*

● (1910)

With the ambiguity of section 13, it is virtually impossible for any person to determine whether they might be in violation of section 13. This, in a nutshell, creates a culture for censorship and punishment for those who dare speak their mind. This is wrong and cannot be justified in the free society that Canada credits itself to be. This is also unimaginable in a digital world that has reshaped how our society communicates. Is it possible that the 140 characters of a tweet could be misconstrued? Is it possible that a blog could be unduly censored?

Bill C-304 can and would fix this and that is why I am standing in this House today to support it.

There will be some who say that getting rid of section 13 of the Human Rights Act would open the floodgates to hate speech and the like. As the member for Westlock—St. Paul noted, sections 318 through 320.1 of the Criminal Code already prohibit hate propaganda, including paragraph 320(8)(e) which states “any writing, sign or visible representation that advocates or promotes genocide”.

There is nothing more vile in the world than hate propaganda. I have worked over the last few years to draw attention and take action on the rising threat of anti-Semitism for this very reason. Will some people say or continue to say things that are nasty, things that everyone in this House would find offensive? Certainly.

However, so long as it is not hate propaganda, should we not defend the right to say it, so that we are preserving the right of all people to speak their minds and, in doing so, thereby preserving our right to speak out against unsavoury speech?

In closing, I iterate the importance of free speech here in Canada. Our country was built on free speech. Our veterans have fought for free speech. Let us together as a House ensure that free speech is not hindered the way section 13 does today.

God bless Canada.

● (1915)

[Translation]

**Ms. Charmaine Borg (Terrebonne—Blainville, NDP):** Madam Speaker, I would like to begin by saying that the Conservatives constantly talk about their desire to make our communities safer, yet, they appear determined to weaken restrictions on hate crimes. This seems contradictory to me.

We all know that the Conservative government has had a love affair with right-wing, George Bush-type Americans. It was the Republicans who supported mandatory minimum sentences and the elimination of pardon applications in the 1980s. As a result, the prison population soared, but public safety did not necessarily improve. It is these same Republicans who cling to the Constitution's first amendment: unconditional freedom of speech. Unfortunately, extremist groups of all kinds use it to spew homophobic, racist, Islamophobic and anti-Semitic beliefs, while claiming protection under the first amendment. This American standard goes against certain international conventions, such as the International Covenant on Civil and Political Rights, which prohibit hate speech.

The Conservatives love to talk about victims and show empathy for their situation, as we all should, in fact. However, in this case, they are completely blinded by their ideology. They are forgetting the people who are already marginalized, such as racial or religious minorities or the gay, lesbian and transsexual communities. They are forgetting the dramatic effect that hate speech can have on someone who is already marginalized. They are forgetting the suicide epidemic among gay, lesbian and transsexual teens in the United States and Canada. They are forgetting the attacks on visible minorities. Expressions of hatred and intolerance are the main causes of these tragedies and that is why we must, at all cost, maintain protection against such expressions of prejudice.

I heard the member on the other side say in his speech that there is not always a victim on the receiving end of hate speech. That is not necessarily the case. If someone writes something hateful and there is no one yelling and saying that it hurts, it does not mean that it is not the case. You never know what effect it can have to write something about someone.

The Canadian Human Rights Tribunal has seen many cases based on section 13 of the Canadian Human Rights Act. Those cases have included many related to white supremacy, holocaust denial and other forms of anti-Semitism.

The Conservatives' argument against section 13 of the Canadian Human Rights Act is that it infringes on their right to freedom of speech, protected by the Charter of Rights and Freedoms. They also maintain that Canadians are already protected against hate speech by subsection 319(2) of the Criminal Code. On both points, total devotion to their ideology is giving the Conservatives a case of amnesia and making them deliberately ignore the facts.

Let us be clear and honest in this House. Section 13 of the Canadian Human Rights Act does not infringe upon the Charter-protected right to freedom of expression. How do I know this? Because in 1990, in *Canada (Human Rights Commission) v. Taylor*, the Supreme Court of Canada ruled to that effect. It worries me when the federal government chooses to completely ignore Supreme Court decisions.

As for the government's second argument, which is that the Criminal Code already protects Canadians against hate speech, they are conveniently forgetting to consider the important differences between subsection 319(2) of the Criminal Code and section 13 of the Canadian Human Rights Act. These differences are significant. In fact, they are extremely important for victims of hate crimes.

I would like to enlighten the members across the floor regarding some of these differences. First of all, the complaint procedure is different. The Canadian Human Rights Act allows individuals to file complaints. If the commission finds that the complaint is major, the matter goes before a tribunal. Under the provisions of the Criminal Code, criminal proceedings can only be brought against someone with the consent of the Minister of Justice. Victims of hate crimes should not have to wait for crown attorneys to prosecute a case only after the Minister of Justice has given the green light.

● (1920)

Now I would like to talk about the standard of proof. The Canadian Human Rights Act sets out a different standard of proof of guilt. A criminal case requires proof beyond a reasonable doubt, while a case before the Canadian Human Rights Tribunal requires proof on a balance of probabilities. That constitutes a big difference for victims and perpetrators of hate crimes.

As members know, O.J. Simpson was acquitted in criminal court because the prosecution was unable to prove beyond a reasonable doubt that he committed the murder. But he was found guilty in civil court, based on a balance of probabilities. The complaint process and the standard required to prove guilt differ in section 13 and subsection 319(2) of the Criminal Code. They have very different implications for victims of hate crimes. As the Canadian Human Rights Commission has already said, they complement each other and are not in competition.

The most important thing to point out here is that we must strive to live in a society without hate crimes or intolerance. The victims of hate crimes should not need the authorization of the Minister of Justice—who is partisan, I should point out—to go after the perpetrators of hate crimes. Furthermore, it is not always easy to prove guilt beyond a reasonable doubt in the case of hate crimes. That is why we need another mechanism outside the Criminal Code to ensure that visible minorities are able to defend themselves against hate crimes.

When will the Conservatives in this country realize that hate crimes are real and that the Minister of Justice should not have the power to decide which ones are real and which ones are not?

I urge my colleagues to vote against this bill.

[English]

**Mr. Brent Rathgeber (Edmonton—St. Albert, CPC):** Madam Speaker, it is an honour and a pleasure to rise and speak in favour of Bill C-304, an act to amend the Canadian Human Rights Act (protecting freedom).

Freedom of speech is a fundamental right enjoyed in all free and democratic societies.

I have listened carefully to the three members opposite who have expressed concern about my friend's bill, the sponsor from Westlock—St. Paul. Parliamentarians enjoy unfettered freedom of speech. In fact, Parliament is derived from the French word “parler”, meaning to speak. In this chamber and in its committees, we parliamentarians and any witnesses who appear before those committees have unfettered freedom of speech. It seems to me somewhat hypocritical that we would not offer to society, to people who write, to blogs and websites on the Internet, which falls under federal regulation, the same rights and privileges that we here enjoy in the Parliament of Canada.

My friend from Mount Royal, for whom I have a great deal of respect, is correct when he says that there are limits to freedom of speech.

There is no doubt that members are aware of the already workable remedies and workable limits with respect to freedom of speech. There are laws against perjury, the torts of libel and slander and,

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most important and most germane to this debate, sections 318 to 320 of the Criminal Code. Those are all real hate speech protections.

A distinction must be drawn between hate speech and hurt speech or the so-called counterfeit right of hurt feelings. One does not have a right against having his or her feelings hurt. I am sorry but that is not a right that exists in common law and it is not a right that exists in free and democratic societies.

The Criminal Code sanctions regarding free speech found in sections 318 to 320 require something more than hurt feelings. They require real and actionable hatred. If a person advocates genocide, destruction of a group's property or harm or damage to the person of that group, then that person has fallen offside the hate provisions of the Criminal Code, and, I would submit, rightfully so. However, that is something quite different than the so-called freedom not to be offended, or what my friend referred to as hurt speech.

Free speech, if it is to exist, cannot be subject to some bureaucracy. There is no such thing as government regulated free speech. Either there is free speech or there is not.

It is the very offensive speech that requires legal protection. This debate probably would not be occurring if there were not situations where individuals have said things that were truly politically correct, offensive and sometimes abhorrently so, but individuals have attempted to avail themselves to the charter protected rights in section 2(b) of freedom of expression. I would submit that it is that very offensive speech that requires protection.

Everything in life that is provocative is controversial. If we were to get into an intelligent debate about religion, Christianity versus Islamism, abortion, gay rights or even climate change, it would be impossible to have a thorough and meaningful debate without running the risk of offending somebody somewhere along that process.

A free society requires freedom of speech so that we can have a fluid marketplace of ideas, so that we can have give and take and exchange. Some of the ideas in that marketplace of ideas will not be popular and they will not be politically correct but they are important to further the debate. Society is actually moved forward over time because of freedom of speech.

Some things were politically incorrect in their time. For example, hundreds of years ago, when Galileo opined that the world was round, that was thought of as heresy at the time. However, he said it, people debated it and argued it and eventually they proved it.

It is because of the very freedom of speech that we are fighting for today by repealing section 13 of the human rights code that society can enhance itself with respect to enlightenment and with respect to determining truth that may not appear to be true at the present time.

So the very human rights commission that—

● (1925)

**The Deputy Speaker:** Order, please. I regret to interrupt the hon. member. He will have about five minutes when the bill returns on the order paper.



*Adjournment Proceedings**[Translation]*

The time provided for the consideration of private members' business has now expired, and the order is dropped to the bottom of the order of precedence on the order paper.

**ADJOURNMENT PROCEEDINGS**

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

● (1930)

*[Translation]***INFRASTRUCTURE**

**Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP):** Madam Speaker, we are gathered here to talk about infrastructure. When we think about infrastructure, we think about the bridge that we cross every day, the road network, public facilities or sometimes the water system and waste water treatment facilities. It is something close to home. That is what most people think about when the word infrastructure is mentioned.

But here, in the government, we are supposed to think differently. Infrastructure is a network and that network has economic spinoffs, not only in terms of employment but also in terms of the growth of the GNP.

We have to think strategically and have a broad vision for the future. This government has not shown any proof that it has developed a long-term vision and strategy. It therefore does not come as a big surprise to see the Auditor General criticize the government's accountability.

Clearly, there is no way to measure the effect that the billions and billions of dollars have had on the infrastructure deficit, which is currently estimated at \$123 billion. The minister responsible is not the only one to blame. There are many guilty parties—both Liberals and Conservatives—who have neglected our infrastructure network. We hope to at least see an improvement in the government's planning and strategy.

However, the facts do not inspire confidence. Take the Champlain Bridge for example. Yesterday in the Standing Committee on Transport, Infrastructure and Communities, we heard from witness Michel Labrecque. He asked the government to carefully plan public transit on the new Champlain Bridge. We could also call it "the bridge that must not be named", a little like Voldemort in the Harry Potter series. Perhaps the Conservative members find this bridge particularly frightening. I do not know why, but they cannot call it the new Champlain Bridge.

The Conservatives announced a new bridge without any details about how public transit would be incorporated. This is a problem. The government had at least five months to plan something—a vision, a strategy. I am not just blaming the minister. The Department of Transport has been a revolving door: there were five ministers in five years. That is not a very good recipe for success. It does not inspire confidence.

*[English]*

One must assume that these ministers did not hand off the baton but rather dropped it. Therefore, I do not fault the present Minister of Transport. He did not know how much his predecessors hid from him. I am giving him the benefit of the doubt. He seems like an honest man.

The problem with the federal infrastructure in Montreal, the Champlain Bridge in particular, dates from the time of Lawrence Cannon in 2006, followed by the present Minister of Foreign Affairs, followed by Reform member, Chuck Strahl, each successively dropping the baton. What kind of record is that?

The former member for Fraser Valley, Chuck Strahl, who is now speaking against the government's position on asbestos, needs to explain to Canadians why he kept a report secret that showed that the bridge had the possibility of falling apart and left the present minister out in the cold.

Questions were asked in the previous ministry but a question remains? Why did the government hide the engineer's report from January to March of this year and what will it do to advance a true strategy for infrastructure in the coming days?

*[Translation]*

**Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC):** Madam Speaker, it is a great honour for me to speak about this issue, which is important to the people of greater Montreal and Quebec and all Canadians.

*[English]*

As the hon. member knows, our Conservative government has taken action on this file.

On October 5 of this year, the Minister of Transport, Infrastructure and Communities, who sits in the seat in front of me, took leadership and announced in Montreal that our government would proceed with the construction of a new bridge across the St. Lawrence to replace the existing Champlain Bridge.

The Champlain Bridge is the busiest bridge in Canada, with over 100,000 people using it twice a day. It is also an important economic enabler for the Montreal region and, indeed, for all of Canada.

As an estimated \$20 billion in goods cross the bridge each year, it is also a gateway and a major economic component of the continental gateway. It is a very important piece of infrastructure and we intend to see it replaced with a new plan.

• (1935)

[Translation]

The Champlain Bridge is safe at present but requires maintenance work. To that end, our Conservative government has invested \$380 million in work to ensure the continued safety of the bridge. This money was allocated in the 2009, 2010 and 2011 budgets. I would like to remind the House that my colleague and his party voted against these measures. They opposed investments to maintain this bridge and now they are complaining about the poor condition of the bridge. It cannot be said, as the NDP is trying to say, that the bridge should have been better maintained, because the NDP has opposed all investments for that purpose.

It is important to understand that, with our government's continuing investments, the Champlain Bridge is safe and will remain safe until the end of its useful life.

[English]

That being said, it is clear that we need a plan to replace the bridge as it cannot be repaired and repaired in perpetuity. This infrastructure project will be one of the most important of the decade ahead. We are working to have the new bridge built as soon as possible, but as the hon. member knows, with a project of this magnitude, it is essential to ensure it is done correctly.

[Translation]

Our objective is to build the new bridge at no cost to taxpayers. Details will be studied, but our government clearly prefers a public-private partnership and implementing a toll to cover the cost of building the new bridge. The Minister of Transport, Infrastructure and Communities and his team have been working on this file since their first day on the job. The minister has already initiated consultations in Montreal and on the south shore about this important project. We will continue to work on behalf of Montrealers, Quebecers and all Canadians.

[English]

**Mr. Jamie Nicholls:** Madam Speaker, I am certainly glad that perhaps the government has learned lessons from the Auditor General's report, when it said that it should have engineers and architects right at the beginning, rather than involving them somewhere in the middle.

However, the government took leadership and action five years after the fact when it knew this bridge was probably in need of replacement. This process has been talked about since 2006. Minister Cannon mentioned it. Leadership is taking action when action is called for, so this is too little too late.

We have long recognized the economic importance of the bridge and the economic importance of infrastructure in general across the country. When other governments were cutting their infrastructure spending, NDP governments in the 1990s maintained their infrastructure spending and actually weathered the storm at that time.

The government knew this bridge needed to be replaced. When it hides a diamond in a pile of manure, presents the manure to us and then says that it does not like diamonds, it is disingenuous.

**Mr. Pierre Poilievre:** Madam Speaker, I have to admit hesitation in addressing that rather tortured metaphor.

### *Adjournment Proceedings*

However, the Minister of Transport, Infrastructure and Communities has demonstrated extraordinary leadership in tackling one of the great infrastructure challenges of our time. This enormous bridge, with its exceptional importance to the region, to the province and to the country, is a challenge that most ministers would never have to face because it comes along only once in a generation. However, he has put forward the beginnings of a plan to replace the bridge with something that will be of little or no cost to taxpayers, that will serve the region, that will continue to grow our economy and that will build upon our low tax plan for jobs and growth.

• (1940)

[Translation]

### SMALL AND MEDIUM-SIZED BUSINESSES

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Madam Speaker, today, I would like to come back to the question I asked in the House on June 21 about small and medium-sized businesses. We know that businesses with fewer than 100 employees represent over 98% of Canadian businesses. I therefore asked the Parliamentary Secretary to explain what concrete action the Conservative government intended to take to support the businesses that create approximately 70% of jobs in Canada.

The Conservatives have a tendency to give tax breaks to businesses that do not need them—those that are making huge profits. A good number of SMEs in Canada are still being affected by the economic crisis, which is rooted in stock market speculation and commercial paper. The businesses affected do not have any more working capital.

It is true that, since then, the Conservatives gave small businesses a 1% tax break and increased the tax rate threshold from \$300,000 to \$500,000. This is a first step that we could have taken together—we agreed with this measure—before we asked the government to work together to take things one step further and support job creation and the development of our small businesses.

However, in three years, this government reduced the taxes of large corporations, which did not need help at all, by 2.5%, which is equivalent to almost \$6 billion in tax cuts in the past three years alone. All these credits in exchange for what? Absolutely nothing. No guarantees of job creation. We in the NDP believe that tax cuts should not be given out blindly. What the government must do is to do more for small businesses, particularly those that create jobs. Public investment must be targeted and the effects must be measured. It is key.

The Parliamentary Secretary told me, unfortunately, that I did not vote in favour of a budget that supported small business. The problem is that the measure that I just described was buried in a mishmash of budget measures that we could not in good conscience accept.



*Adjournment Proceedings*

We know today that it is not small businesses but the friends of the Conservatives that are reaping the benefits of the massive tax breaks. After rereading the previous budget, we saw that the Conservatives are supporting big oil companies operating in oil sands and mining developments. However, these companies are moving manufacturing jobs to Asia, among other things. In my riding, 600 employees of White Birch Paper are living in uncertainty because of this government's complacency.

The parliamentary secretary subscribes to laissez-faire economics. This shows in his strategy to support the family business model and in his full commitment to dismantle government structures and leave people, including entrepreneurs, to fend for themselves.

This government lost 72,000 jobs last month. Is he going to keep shirking his responsibilities as parliamentary secretary for much longer?

[English]

**Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC):** Madam Speaker, I am proud to be here today to talk about the actions the government has taken to support small and medium-sized businesses. Small and medium-sized enterprises employ 6.8 million Canadians, or 64% of private sector employees. These businesses form the economic bedrock of our nation, and this government will continue to create the conditions they need to succeed.

Since taking office, we have been steadfast in our efforts to reduce the tax burden for Canadian small businesses. We have eliminated the corporate surtax, eliminated the federal capital tax, raised the small business tax threshold to \$500,000 and lowered the small business tax rate to 11%. To help business become more productive, we have eliminated some tariffs on imported machinery and equipment. We also extended the accelerated capital cost allowance for business investments in machinery and equipment to assist Canada's manufacturing and processing sector.

As the member opposite well knows, since the end of the recession, we have created nearly 600,000 net new jobs.

To further support job creation, in budget 2011 we extended the temporary hiring credit for small business. This provides a credit of up to \$1,000 against a small employer's increases in its EI premiums in 2011. This new credit will be available to approximately 525,000 employers, saving them about \$165 million. Yet, sadly, the NDP continually votes against these important measures that we put forward to help Canadian SMEs.

In recent years the government has also allocated \$475 million for the Business Development Bank of Canada's venture capital program to help finance innovative start-ups. We have also raised the maximum loan amount under the Canada small business financing program to allow SMEs to access the capital they need to grow their business and create jobs here in Canada.

For younger entrepreneurs, we boosted the budget of the Canadian Youth Business Foundation to connect them with mentors, business resources and start-up financing.

The Conservative government also understands that we must reduce the paperwork burden. We have already fulfilled our

commitment made in 2009 to reduce the paper burden on Canadian businesses by 20%. Last year we created the Red Tape Reduction Commission, headed by the Minister of State for Small Business and Tourism. The commission listened to SME owners across the country and will soon recommend ways to permanently reduce the paperwork burden on business owners.

Budget 2011 also announced \$3 million in annual funding to modernize and make permanent the bizpal program, which gives businesses one-stop, online access to information on permit and licence requirements from all levels of government.

The government is also providing \$15 million for the Canada Business Network to help small businesses get the reliable, up-to-date information they need and to obtain quick referrals to government programs and services in every province and territory.

Thanks to the hard work of the Minister of State for Finance, we have also tabled legislation to establish pooled registered pension plans. This will provide a pension option for the many workers, like those in small businesses, who currently do not participate in a company pension plan.

These are just some of the many proactive measures that we have taken in support of Canadian small business. Our Conservative government has continually stood up for small business, while the NDP members continually vote against and oppose measures to help small businesses in Canada.

• (1945)

[Translation]

**Mr. Raymond Côté:** Madam Speaker, along with a few measures that might be valuable, there are unfortunately many empty slogans and figures being bandied about. Again, giving corporations tax cuts is like giving a case of gin to an alcoholic instead of helping him with his addiction.

The tax credit the hon. member was bragging about can apply, unfortunately, to a company that does not create a single new job if the employer fiddles with its contributions to the employment insurance fund.

As far as the Red Tape Reduction Commission is concerned, it has been years since any red tape has been reduced. This is looking a lot more like a public relations operation.

The cherry on top is that our future retirees are being invited to gamble their retirement funds on the stock market. What kind of future is being offered, exactly?

[English]

**Mr. Mike Lake:** Madam Speaker, let us take a look at the facts on jobs and economic growth in the country. Since July of 2009, we have created nearly 600,000 net new jobs. We are the only G7 country to have regained more than all of the output and jobs lost during the downturn. Both the IMF, the International Monetary Fund, and the Organisation for Economic Co-operation and Development forecast that Canada's economy will be among the strongest in the G7 this year and next. Recently the credit rating agency Moody's renewed Canada's triple-A credit rating, based on, in its words, Canada's "economic resiliency, very high government financial strength and a low susceptibility to event risk".

*Adjournment Proceedings*

Our government remains committed to continuing to build a strong economy and helping small and medium-sized businesses strive and succeed. We hope the NDP will start supporting us in that.

**The Deputy Speaker:** The motion to adjourn the House is deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:49 p.m.)





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HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA



# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

Wednesday, November 23, 2011

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Speaker: The Honourable Andrew Scheer



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# HOUSE OF COMMONS

Wednesday, November 23, 2011

The House met at 2 p.m.

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## Prayers

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● (1405)

[English]

**The Speaker:** It being Wednesday, we will have the singing of the national anthem led today by the hon. member for Newmarket—Aurora.

[Members sang the national anthem]

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## STATEMENTS BY MEMBERS

[English]

### UNIVERSITY OF ONTARIO INSTITUTE OF TECHNOLOGY

**Mr. Colin Carrie (Oshawa, CPC):** Mr. Speaker, there is a reason that Oshawa is considered one of the fastest growing cities in Canada. Oshawa boasts some of the most impressive post-secondary institutions in Canada that will help create the jobs of tomorrow today.

Nowhere is this more evident than at the University of Ontario Institute of Technology. In Oshawa, UOIT has created the perfect storm in the name of innovation. Recently, the Automotive Centre of Excellence was officially opened in the midst of a raging Arctic blizzard. This world-class facility includes one of the largest and most sophisticated climatic wind tunnels in the world. This tunnel can create temperatures from -40°C to 60°C and is able to assimilate conditions like driving in the middle of an Arctic blizzard. This is where the next generation of electric and alternative fuel vehicles, green energy technology and products will be discovered, tested and validated.

UOIT will help lead Oshawa into the future.

I would like to take this opportunity to welcome the new vice-chancellor, Dr. Tim McTiernan.

## POVERTY

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, I rise today to highlight an issue that touches far too many people in Canada: child and family poverty.

It has been over 20 years since the House unanimously adopted an NDP motion to eradicate child poverty and yet, in 2011, the statistics are appalling: 639,000, nearly one in ten Canadian children, live in poverty today; and 52% of all single mothers with children under six live in poverty.

Having a full-time job is often not enough. One in four Canadians working full time earn less than the poverty rate. One in three poor children have at least one parent who works full time.

Canadian children, seniors, families and youth all are experiencing levels of poverty that are simply unacceptable in a nation as wealthy such as ours. This is an intolerable situation that demands action from all elected officials, but especially from our federal government.

Today, I call on the government to join provincial and territorial governments, first nations and civil society to develop a national poverty reduction strategy. We cannot, we must not and we should not wait any longer.

\* \* \*

### JOHN RHODES SCHOLARSHIP DINNER

**Mr. Bryan Hayes (Sault Ste. Marie, CPC):** Mr. Speaker, I recently attended the John Rhodes Scholarship dinner in my riding of Sault Ste. Marie in honour of Dr. Lou and Mae Lukenda.

Dr. Lukenda is a dentist, philanthropist and citizen extraordinaire. He donated the Windsor Park Hotel to Algoma University, which has been converted into a student residence, assisting the recently accredited university to grow and prosper. He also donated a corporate office he owned to our sister city of Sault Ste. Marie, Michigan, for conversion to its new city hall.

When our local OHL team, the Sault Ste. Marie Greyhounds, were in danger of being moved from Sault Ste. Marie, he bought the team, preserving a high level of athletic competition, an economic benefit for Sault Ste. Marie.

He excelled in dentistry for 38 years and as a distinguished member of the Royal College of Dental Surgeons of Ontario, Dr. Lou and Mae Lukenda have increased the well-being of many who live in my riding through their philanthropy, civil engagement and professionalism. They have demonstrated what it means to be good citizens.



### Statements by Members

I congratulate Dr. Lou and Mae Lukenda and thank them for truly serving their community.

\* \* \*

● (1410)

### THE ENVIRONMENT

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, in 1987, Canada took a leadership role at the Vienna Convention, which phased out ozone destroying CFCs. Studies show that without it most of the ozone layer would have been destroyed by 2065, a catastrophe.

This week, the ninth meeting of parties to the Vienna Convention is being held in Bali, Indonesia. Our commitments to ozone monitoring and science will be questioned, given that Environment Canada's ozone scientists have received letters saying that their positions are in jeopardy.

Next week is the Durban climate change conference. The International Energy Agency says that rising fossil fuel energy use will lead to irreversible and potentially catastrophic climate change.

Will the government remember that we have a moral obligation to our children and grandchildren and honour it by meeting scientifically defensible greenhouse gas targets?

We are thankful for the action the world took in 1987 and we need to be similarly courageous now.

\* \* \*

### JUSTICE

**Mr. Rob Anders (Calgary West, CPC):** Mr. Speaker, our government is committed to putting real criminals behind bars. Canadians who have been a victim of a crime should not be recriminalized by the criminal justice system. That is why our government has introduced Bill C-26. This legislation would bring much needed reform for Canadians to defend themselves, their property and arrest the perpetrators.

Last year, Joseph Singleton, a resident of Alberta, while trying to protect his property, was charged with assault. Rather than being supported, his brave act to defend his home and his family has caused him more harm than good. Mr. Singleton had to go through the complex and lengthy court system to clear his own name.

There should be no more innocent victims who are penalized for defending their property. Bill C-26 would help police and judges to determine who the actual criminals and victims are and will prevent similar cases. Canadians would now have the fundamental right to protect themselves, their family and their property.

\* \* \*

### CHILD POVERTY

**Ms. Chris Charlton (Hamilton Mountain, NDP):** Mr. Speaker, it has been another tough year for Canadian families. However, thanks to the Occupy Movement, unprecedented media attention has finally been brought to the growing gap between the rich and the poor.

The disparity between the top 1% of income earners and the other 99% affects us all. Unequal societies are more likely to become dysfunctional. Health care costs rise while productivity is lost. And, it is children who are hurt the most.

Twenty-two years ago this month, Ed Broadbent introduced a landmark motion to end child poverty by the year 2000. His motion received unanimous support in this House but, over two decades later, the number of children living in poverty today is at almost the same level as it was in 1989.

In fact, out of the 24 richest nations in the world, Canada ranks 17th in caring for its children in poverty and 38% of food bank users are children. There are more food banks in Canada today than there are McDonald's. One in nine Canadian children live in poverty.

This holiday season I urge all members to support their local food banks and the United Way, but, frankly, if we want to give true meaning to the spirit of Christmas, then we need to act here in Parliament to end poverty now.

\* \* \*

### LORNE REZNOWSKI

**Mr. Rod Bruinooge (Winnipeg South, CPC):** Mr. Speaker, a constituent of mine, a retired University of Manitoba professor, Dr. Lorne Reznowski, passed away on November 9, and I would like to reflect on his important contributions to Canada.

In the 1960s and 1970s, Dr. Reznowski worked with both Social Credit Party leaders, Robert Thompson and Real Caouette, and later became leader himself while the party still had MPs in the House of Commons.

As a strong opponent of Prime Minister Trudeau's policies, Dr. Reznowski correctly predicted that the 1969 omnibus bill would bring Canada into a demographic crisis within his lifetime. Of course, he was right on this and on so many other issues related to the social policies of that era.

His strong beliefs are summed up in a quote from the 1980-81 *Who's Who in America*:

I firmly believe that one should never compromise his principles no matter what the immediate gain may be. I don't believe those principles should be swayed by Gallup polls or opinion surveys. My principles are not rooted in the prevailing secular humanism but in the Christian tradition.

I extend my heartfelt condolences to the Reznowski family.

\* \* \*

● (1415)

### PROSTATE CANCER

**Mr. Ed Holder (London West, CPC):** Mr. Speaker, several years ago, I lost a great friend to prostate cancer and it sorrows me to this day to think that it may have been preventable.

He is my motivation for participating in movember again this year. Along with thousands of other men, I have boldly made a challenge to my peers and have asked them to take the risk seriously and get their prostate checked regularly.

The month-long movember campaign has broached this subject with humour because too many men still do not get it.

Prostate cancer is highly treatable and death often avoidable but it requires men to take responsibility, drop their modesty for a few minutes and get checked annually. A few minutes of caution is worth avoiding a shortened life of regret.

I applaud those participating in movember on both sides of this House and around the world. By having some fun being serious, we are helping to save lives.

Finally, I would like to appeal to all women to encourage the men in their lives, their husbands, brothers and fathers, to get checked regularly. Their support and encouragement may just be the final push needed to have their loved ones take responsibility for their health. Together, we will fight this awful disease.

\* \* \*

[Translation]

#### PRAXÈDE LÉVESQUE-LAPOINTE, WOMAN FARMER OF THE YEAR

**Mr. Jean Rousseau (Compton—Stanstead, NDP):** Mr. Speaker, last month, Praxède Lévesque-Lapointe was named woman farmer of the year by the Fédération des agricultrices du Québec for her hard work with female shea butter producers in Burkina Faso. In the small town of Bury, she and her husband were pioneers in running an organic sugar bush; producing organic raw milk cheese; raising endangered animal breeds; and lastly, importing, processing and marketing shea butter derivatives—all on the family farm.

The impact this partnership has had on the quality of life of female producers in Burkina Faso is very important to the survival of the villages and is also essential to the emancipation of these African women. This award recognizes this farmer's perseverance, courage and innovation over the years with her late husband, Daniel Lapointe. Praxède Lévesque-Lapointe is deserving of our admiration because she is an example of entrepreneurship and humanity at its best.

\* \* \*

[English]

#### TAXATION

**Ms. Wai Young (Vancouver South, CPC):** Mr. Speaker, the Liberals are back at it again with one of their favourite policies: tax everything.

Just yesterday the member for Vancouver Quadra tweeted about her desire to see European-style carbon taxes here in Canada. The member for Saint-Laurent—Cartierville also recently advocated for a global carbon tax. If the Liberals had their way, Canadians would be paying substantially more for gas for their cars, for electricity for their homes, and for everything else that they buy. These are just more reminders of the Liberals' hidden agenda of imposing a massive new tax on everything if they ever got their chance.

#### Statements by Members

The interim Liberal leader recently called for the end of tax credits for children, transit users and workers. The Liberals continue to call for higher taxes on job creators despite the current global economic uncertainty. The Liberal Party still has no new ideas other than higher taxes for Canadian families, just like their friends in the NDP.

\* \* \*

[Translation]

#### VIOLENCE AGAINST WOMEN

**Ms. Lise St-Denis (Saint-Maurice—Champlain, NDP):** Mr. Speaker, violence against women comes in many forms. This violence is increasingly being seen and recognized in the form of physical injuries, rape, kidnapping and murder.

But the subtle, everyday violence that is expressed through contempt and hurtful comments is not so easily spotted. Women who suffer this verbal violence pay for these insidious attacks with their psychological well-being.

To increase women's self-confidence, we need to remain vigilant in the face of situations that prevent them from gaining that confidence. We need to encourage education programs to address the reactionary attitudes of some when it comes to women in the workplace and in society in general. Violence is not just found on the front page of the newspaper; there is also the verbal violence that attacks our self-esteem and kills our dreams. My words—

**The Speaker:** Order, please. The hon. member for Mississauga—Brampton South.

\* \* \*

[English]

#### EID ON THE HILL

**Ms. Eve Adams (Mississauga—Brampton South, CPC):** Mr. Speaker, later today hundreds of Canadian Muslims will come to Parliament Hill for the first annual Eid on the Hill event. They will be hosted by the Minister of Citizenship, Immigration and Multiculturalism. They will be here to talk to members of Parliament and to celebrate the many achievements of the Muslim community in Canada.

My riding of Mississauga—Brampton South has a very large Muslim community. Muslim Canadians enrich our culture and our lives in academia, arts, business and many other fields. That is why I am so proud that tonight the Prime Minister of Canada will be welcoming Muslim Canadians to our nation's capital. I cannot wait to join them.



*Oral Questions*

● (1420)

*[Translation]***HOMELESSNESS**

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Mr. Speaker, I would like to remind the House that homelessness in Canada continues to be a problem.

I am appalled to see this government refuse to implement a viable, long-term plan to address this problem, which affects all of our communities, both socially and economically.

Earlier this month, I attended a huge rally in Montreal organized by RAPSIM. Not one representative from this government bothered to show up at this event, at which RAPSIM's 90 member organizations were able to discuss the pressing needs that exist in the fight against homelessness.

Unfortunately, the number of homeless people is not diminishing. This fact must be recognized and appropriate action must be taken.

We need to fulfill our responsibilities. I urge the government to act diligently to address this unacceptable situation, which has an impact on all Canadians.

\* \* \*

*[English]***FIREARMS REGISTRY**

**Mr. Jim Hillyer (Lethbridge, CPC):** Mr. Speaker, Canadians gave our government a strong and clear mandate to end the wasteful and ineffective long gun registry, and that is exactly what we are doing. Every reasonable person knows that we cannot end the registry without destroying the records. The record is what the registry is.

Today big union boss and NDP leadership candidate Brian Topp told us the real reason the NDP wanted to keep the records. He said he is willing to overthrow the will of Canadians in the last election and use the records to reinstate the long gun registry. The leadership candidate from Skeena—Bulkley Valley threw cold water on this conniving proposal. I wonder if he will receive the same gag order that was imposed upon the two NDP members who did not vote with their party's bid to keep the registry.

That party is disunited and cannot be trusted. There are gag orders on MPs who listened to their constituents and leadership candidates who talk about overthrowing the will of the Canadian people. The NDP is not fit to govern.

\* \* \*

*[Translation]***OFFICIAL LANGUAGES**

**Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP):** Mr. Speaker, no one can contain the divisions in the ranks of the Conservatives. A growing number of them are finding the courage to criticize the immoral and disrespectful decisions of the Prime Minister. Yesterday, the hon. member for Ottawa—Orléans expressed his indignation and publicly criticized the shameful appointment of a unilingual anglophone Auditor General. The hon.

member called it a mistake. He added, and I quote, "Canada's linguistic duality is essential to the very survival of the country".

He is not the only one to say so. Before him, Conservative Senator Housakos, who is close to the Prime Minister, spoke out against this appalling appointment. Let us hope that these pleas give the Conservatives from Quebec the courage to stand up to a Prime Minister who never misses an opportunity to divide the country.

The Conservatives claimed they wanted to defend Canada, but they spend their time hiding behind their controlling leader. They have become exactly what they despised: politicians who are out of touch with reality.

\* \* \*

*[English]***NEW DEMOCRATIC PARTY**

**Mr. Jeff Watson (Essex, CPC):** Mr. Speaker, NDP members let their partisanship stand in the way of helping Canadian families and our economy.

That is why the NDP voted against helping the manufacturing sector stay strong, against helping small business hire more people, against new help for families, like the family caregiver and children's arts tax credits, and against the volunteer firefighter tax credit.

The NDP's anti-Canada agenda is even more alarming. At home the NDP oppose measures that are creating Canadian jobs. Then NDP MPs go abroad and attack Canada. In doing so, the NDP sides with a small group of radical activists and with its public sector union bosses against private sector union workers.

Canadians gave our Conservative government a strong mandate to stay focused on what matters: creating jobs and economic growth. The NDP's anti-Canada agenda is another worrying example that the ineffective, disunited NDP is unfit to govern.

**ORAL QUESTIONS**

● (1425)

*[Translation]***JUSTICE**

**Mrs. Nycole Turmel (Leader of the Opposition, NDP):** Mr. Speaker, yesterday the Minister of Justice put on quite a performance for his Quebec counterpart. When Jean-Marc Fournier asked for the studies that justify the Conservatives' repressive and regressive approach to justice, the Minister of Justice spoke about personal impressions.

Can the Prime Minister table the scientific studies that prove that maintaining the goal of long-term protection and restricting the publication of young offenders' identities are detrimental to public safety?

*Oral Questions*

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, in tackling crime the government is pursuing the mandate given to us by the Canadian people. I understand very well that there are different opinions in some provinces. However, several provinces support these measures, including the NDP governments of Manitoba and Nova Scotia.

**Mrs. Nycole Turmel (Leader of the Opposition, NDP):** Mr. Speaker, yesterday the NDP moved the amendments suggested by the Government of Quebec. The amendments are based on facts, namely, that rehabilitation has proven to be successful and that the crime rate is declining in Canada. However, the Conservatives put ideology before the facts and before science.

I am again asking the Prime Minister to table the scientific studies that prove that their approach will reduce crime and rehabilitate offenders. Let him table the studies.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the government will continue to carry out its mandate and to ensure that the crime rate continues to decline across the country. It is up to the NDP to explain why there is one position in Quebec and another in Nova Scotia and Manitoba.

[English]

**Mrs. Nycole Turmel (Leader of the Opposition, NDP):** Mr. Speaker, yesterday the Conservatives defeated amendment after amendment, and rammed through their prisons agenda.

Their short-sighted approach is simply not justified. Even the Department of Justice has shown that strict mandatory sentences do not work. They did not work in the United States. In fact, the U.S. is now backtracking.

Why does the Prime Minister refuse to listen to crime experts, the provinces, and the opposition?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, we are pursuing the mandate given by the Canadian people who do expect there to be serious penalties for, for instance, sexual predators and drug traffickers. That is what the Canadian people expect from their government. Frankly, that is what even many provincial governments support, including the NDP Government of Manitoba and the NDP Government of Nova Scotia. Maybe the Leader of the Opposition should speak to them to get some further information.

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, Canadians are speaking out by the thousands against the government's wrong-headed prisons agenda.

We have heard from public safety experts, criminologists, bar associations, prosecutors and the provinces that the government's approach is ineffective, counterproductive and costly. New Democrats have offered solutions to fix this broken crime bill, but the door to reasonable debate seems to be closed.

Why is the government opposed to reasonable evidence-based policy?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, we have based this bill on the recommendations, first of all, of the Nunn report and what we have heard from across this country and from provincial attorneys general from all political parties.

The bill goes after those individuals who sexually prey on children. It goes after drug traffickers. I cannot understand why that is always such a problem for the NDP. Could the hon. member please explain that to the House?

\* \* \*

**FIREARMS REGISTRY**

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, it is not just the misguided crime bill that has the out-of-touch government in hot water; it turns out the government's proposed legislation to kill the long gun registry has legal problems of its own.

Yesterday, the Information Commissioner and the Privacy Commissioner confirmed that the destruction of registry data risks contravening not one, not two, but three Canadian laws.

When will the government stop putting political motivation ahead of good public policy? Will it commit to preserving this data and respecting Canadian law?

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, perhaps the member has not understood. We are changing the law. Claims that our legislation breaks the law simply do not make any sense in that context.

Our legislation will destroy the records which are increasingly inaccurate and unreliable, and become increasingly so over time. If given the chance, the opposition would once again use this data to target law-abiding citizens. We will not support the creation of the long gun registry through the back door.

\* \* \*

• (1430)

**EMPLOYMENT**

**Hon. Scott Brison (Kings—Hants, Lib.):** Mr. Speaker, the latest Statistics Canada figures show that Canada has 578,000 fewer full-time jobs than in August 2008. Now the Auditor General is slamming the Conservatives for spending \$47 billion of tax money on a jobs plan without keeping track of the jobs. He says that the government cannot prove how many jobs were created with the \$47 billion.

How could the Conservatives use GPS to track action plan signs and not bother to track how many jobs were created? Are the Conservatives more interested in signs than in Canadian jobs?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, the fact is that since the end of the recession in July 2009, the net new job count in Canada is almost 600,000 jobs. The IMF and the OECD have looked at this. They have credited Canada with the best job growth in the G7 since the end of the recession.

I know the member for Kings—Hants does not believe in international assessments. We do and we are proud of our record as looked by the international organizations.



### Oral Questions

[Translation]

**Hon. Scott Brison (Kings—Hants, Lib.):** Mr. Speaker, Canada has 578,000 fewer full-time jobs than before the recession. The Conservatives have spent \$47 billion to supposedly create jobs, but the Auditor General is saying that the Conservatives cannot prove how many jobs were created.

How can a government be more interested in counting its action plan signs than in counting jobs created?

[English]

**Hon. Jim Flaherty (Minister of Finance, CPC):** Not only was the economic action plan in its first phase effective, Mr. Speaker, but in its next phase we have the budget items that the Liberals voted against. They voted against flowing \$1 billion in federal funding to provinces and territories for infrastructure 2011-12. They voted against helping manufacturers by extending the capital cost allowance for two years. They voted against renewing EI pilot projects to help the unemployed. They voted against extending work sharing and against the hiring credit for more than half a million small businesses in Canada. That is the Liberal record.

**Hon. Scott Brison (Kings—Hants, Lib.):** Mr. Speaker, we voted against a government and a finance minister who has missed every deficit target they ever set. We voted against a government that thinks it is fair to deny low-income Canadians the same kind of benefits it has offered other Canadians. We will continue to vote against a government with this level of economic incompetence and disinterest in helping working Canadians who need a hand during these difficult times.

The Muskoka minister was the one driving the G8 gravy train, wasting tax dollars on luxury hotels, fake lakes and gazebos. We know this based on municipal government documents. With—

**The Speaker:** Order please. The hon. member is out of time.

The hon. Minister of Finance.

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, not only do we have the view of the IMF that Canada is actually doing quite well, not only do we have *Forbes* magazine rating our country, Canada, as the best country in the world in which to invest, not only do we have that, but we have the Canadian people who, on May 2, had an opportunity to express their view at the ballot box with respect to the Liberals' economic policy, and we know the result of that. They are sitting way down in that corner.

\* \* \*

### G8 SUMMIT

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, the President of the Treasury Board claimed that he was not involved in picking projects for the legacy slush fund. Documents the NDP has now obtained show this is simply not true. According to his own office, he was personally involved in selecting projects.

We asked the minister at committee if he would table the documents that were sent to his office. At committee the minister said "sure". He said it. Will he table the documents now?

• (1435)

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, indeed, I answered a total of 75 questions at both the government operations committee and the public accounts committee of this chamber. I answered all those questions fully and completely and to the best of my ability. The record is very clear that I had no determinative role. I had a recommendation role, as a local member of Parliament, but the decisions were made by the Minister of Transport, Infrastructure and Communities.

[Translation]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, we could count the number of times he has not answered the questions put to him in this House.

The member for Parry Sound—Muskoka claims that he had no part in eliminating the famous 33rd project. That is untrue. At least three documents prove that and contradict what the member is claiming. He also claims that the applications sent to his constituency office on handwritten forms were never looked at. Once again, the documents obtained contradict that claim. His own second-in-command announced two of the refusals to municipalities herself.

Will the Conservatives finally accept the gravity of the situation and launch a full parliamentary inquiry, as suggested by the Auditor General?

[English]

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, as I indicated at committee, and as was backed up by various government officials at Transportation and Infrastructure and at Industry Canada, the documentation that was in my purview was forwarded to the Auditor General, who had access to all documentation. The officials indicated where there was documentation and where there was not. All those questions have been answered at committee, and I stand by my responses.

\* \* \*

### AIRLINE SAFETY

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, while the Conservatives are cutting back on public airline safety and security, they are blowing \$5 million a year on private jets that mostly sit empty. Government-paid pilots fly them around empty just to keep their licences. This is a new low, or should I say a new high, in wasting taxpayer money.

Instead of burning millions of dollars on jets no one needs, why will the government not invest in inspectors and mechanics to keep Canadian passengers safe?

*Oral Questions*

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, the safety of our planes is very important. I totally disagree with what the MP said at the beginning of her question. Our government has significantly decreased the use of government aircraft. Transport Canada has already sold eight of its aircraft and we are always reviewing options to ensure that we are using tax dollars as efficiently as possible.

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, we are talking about the nine aircraft that are sitting empty and they are burning cash like jet fuel.

Government airline safety inspectors have been cut. Airlines are left to inspect themselves and the government just takes them at their word. That is a recipe for disaster.

Why is the government more interested in funding empty private executive jets than in keeping our skies safe for Canadians?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, the safety of Canadians when they fly is an absolute priority for Transport Canada. Canada has one of the safest aviation systems in the world and we are very proud of it.

As I said before, Transport Canada already sold eight of its aircraft and it will continue to review all the options for the best way to use the tax dollars of our country.

[Translation]

**Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP):** Mr. Speaker, rather than trying to sell us an aircraft that does not work, the Conservatives should focus on doing a better job of managing those we already have.

Transport Canada's nine Citation aircraft are either being flown with no passengers on board or sitting on the ground, at a cost of \$5 million a year. Even the Canadian Taxpayers Federation is criticizing this poor management.

This government is going to save money by cutting services for families. Why not get rid of these useless aircraft instead?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, as I said earlier, our government has significantly decreased the use of government and Transport Canada aircraft. We have sold eight of these aircraft and we will continue to review all the options because we always rigorously manage the tax dollars of this country. For us, it is not a matter of instilling fear about airline safety. Canada has one of the safest aviation systems in the world. We will continue.

● (1440)

**Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP):** Mr. Speaker, the Conservatives have a real love affair with jets.

First, the Minister of National Defence was using Challenger jets for personal reasons, and now a lot of money is being spent to fly senior federal officials around in Citation jets when they could very

well take commercial flights. Canadians have had enough of the Conservatives breaking the rules that everyone else has to follow.

Will the government finally set an example by reducing its own spending?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, in the previous question, the hon. member said that planes were flying around empty, and now he is saying that they are being used to transport public servants. He needs to get his facts straight.

These planes are used for the benefit of Transport Canada and for the benefit of security. We have sold eight of these aircraft. We will continue to very rigorously manage Canadians' money. In particular, we will continue to ensure the safety and security of air travel in this great country.

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**NATIONAL DEFENCE**

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, the Auditor General's report clearly indicates that the Department of National Defence does not have a comprehensive view of its military procurement processes.

We are now learning that the F-35 communications system will not be compatible with the systems used in other fighter jets and by troops on the ground.

My question is simple, and I hope that the minister will answer it this time. When will the government finally launch an open, transparent bidding process to replace the CF-18s?

[English]

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, contrary to the member's misrepresentation of the facts, I am pleased to correct the record. Canada is scheduled to receive its entire delivery of F-35 aircraft equipped with the ability to locate and communicate with aircraft, ships and ground forces. This means that all Canada's F-35s will not only be capable of operating overseas the moment we get them, but will be able to communicate with other aircraft and know where friendly ground units are well in advance of deployment on operations. Our plans continue to be on track.

[Translation]

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, it is crucial to the safety of our troops on the ground that a fighter jet be able to communicate with them. This is no joke.

This situation again shows that the government does not know what is happening with this file. With the communication, safety and durability problems with the F-35s, this government is putting our soldiers' lives in danger.

When will the government finally stop defending its program and unveil its infamous plan B?



*Oral Questions**[English]*

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, that is just absolutely idle rhetoric. In any event, the member opposite is engaging in fearmongering about the importance of the F-35 program, a program that is critical to managing Canada's sovereignty, supporting our military men and women and creating aerospace jobs for Canadians, in spite of the chirping from across the aisle.

**Mr. Matthew Kellway (Beaches—East York, NDP):** Mr. Speaker, this is not just about another procurement boondoggle, this is about the safety of our troops. We ask a lot of our troops and we in the House in return owe them the very best chance to return home safely to their families. However, the government continues to rush headlong to purchase a fighter jet that cannot even communicate with the ground forces it is supposed to support.

When will the government stop playing politics with the safety of our troops? When will it admit it made a mistake and put this contract out to tender?

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, there was a competition with respect to the F-35. The issue is that the F-35 won out over other aircraft. It is the fifth generation, the best we can provide to our men and women to enable them to complete their missions and to return safely at the end of those missions.

\* \* \*

*[Translation]***JUSTICE**

**Hon. Denis Coderre (Bourassa, Lib.):** Mr. Speaker, it is not just Minister Fournier who felt shortchanged yesterday at his meeting with the Minister of Justice, it is all of Quebec. What Minister Fournier and Quebecers are asking is that our rehabilitation model, which has proven its worth for 40 years, be protected.

My question is simple. Is the Minister of Justice prepared to make amendments to ensure not just the immediate protection but also the long-term protection of our society? That is what we want.

● (1445)

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, the Minister of Justice was very pleased to meet with Minister Fournier yesterday. In these talks, they continued to discuss a very important factor: rehabilitation in the criminal process. We will continue to work with Minister Fournier. We accepted one of his three amendments, and by working with Quebec, we will truly find the solution. We know that Quebec focuses heavily on rehabilitation. Judging by the number of Liberals here, perhaps they need to focus on rehabilitating their party.

**Hon. Denis Coderre (Bourassa, Lib.):** Mr. Speaker, we miss Brian Murphy and Claudette Bradshaw a lot. They focused on the people rather than on demonstrating their arrogance as the Conservatives have been doing.

The reality is that right now we have immediate safety. We are in favour of immediate safety, but if there is no long-term safety, then there is no rehabilitation. The Conservatives have not conducted any research and they do not have any expertise. What Quebecers and Canadians want is for amendments to be made so that the system

works. In the days of Brian Mulroney, this minister agreed that the Quebec model should be protected. How did he become such a dinosaur?

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, the people of Quebec support the safe streets and communities bill. Every day, they wait for these important measures to be implemented to protect them. Quebecers and this party understand what safety means. The word safety is not part of the Liberals' vocabulary.

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, the Minister of Justice has obstinately refused to counter the sensible, documented arguments made by Quebec's justice minister with anything but his own prejudices. Those arguments show that Bill C-10 will cause an avalanche of costs without reducing crime. Given the justice minister's position, I am wondering if this government still has a Minister of Intergovernmental Affairs.

If so, I would ask that minister to rise in this House and tell us if he at least tried to explain to his colleague, the justice minister, what co-operative federalism means.

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, contrary to what Minister Fournier may have misinterpreted, Bill C-10 was based on Justice Nunn's report and—

*[English]*

**The Speaker:** Order, please. The Chair has recognized the hon. parliamentary secretary and he has the floor.

*[Translation]*

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, as I was saying, Bill C-10 was based on an important study prepared by Justice Nunn. That study led to amendments to the legislation that protects the public from young offenders. This legislation targets only violent and repeat offenders. This is a small percentage of the population—between 3% and 4%.

\* \* \*

*[English]***POVERTY**

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, the evidence keeps mounting. The government is failing Canadian families. Campaign 2000's annual report card shows that 1 in 10 Canadian children still live in poverty. Household debt is at an all time high, while low and middle income families have to work more hours just to get by.

As a country, we need to do better. What is the government going to do to make life more affordable for Canadian families struggling just to make ends meet?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, we have done an awful lot. It is too bad that the NDP members did not actually support any of our efforts to help struggling Canadian families. For example, they did not support the \$100 a month in universal child care benefits for parents of children under the age of six to help them choose the child care that the family needed.

*Oral Questions*

The NDP members did not support the introduction of the working income tax benefit to help poorer families get over the welfare wall so they could work and look after their families. Nor did they accept any of the tax cuts that we brought in, so that families could enjoy, on average, \$3,000 a year more in their pockets instead of the government coffers.

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, what the NDP voted against was keeping seniors in poverty. We voted against inaction on child poverty and we voted against the short-sighted policies of the Conservative government.

The reality is that most families need to work two jobs just to make ends meet, yet nearly three million children do not have access to regulated child care. An affordable high quality child care program can pay for itself. Just look at Quebec.

Why will the government not move forward on a real national child care plan that actually reduces child poverty? Why will it not act?

• (1450)

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, we did that. It was one of the very first things we did back in 2006. We introduced the universal child care benefit which is \$100 a month to parents of each child under the age of six, so that they could choose the form of child care that best meets their needs. Maybe they live in the city and want to access traditional day care, for which we helped create over 100,000 new spaces.

We also gave them the choice that if parents wanted to stay at home and raise their own child, they could do that. If they wanted the child to stay with granny, they could do that. They are the experts on child care and we support them.

\* \* \*

[Translation]

### PERSONS WITH DISABILITIES

**Ms. Manon Perreault (Montcalm, NDP):** Mr. Speaker, according to the Campaign 2000 report released this morning, Canada has failed to fulfill its obligations towards underprivileged children and families. Children with disabilities are particularly affected. One parent in four cannot work because of having to care for a child.

When will this government decide to implement the UN Convention on the Rights of Persons with Disabilities, which recognizes the right to a decent standard of living for everyone?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, I am very proud that our government ratified the Convention on the Rights of Persons with Disabilities. In addition, we have implemented a number of measures to help them.

[English]

For example, we introduced the registered disability savings plan to help families plan for the future of their family members who are disabled. We also modified and made major reforms to our Canada student loans program to help the disabled have access to the skills and training they need for the jobs of the future.

We are—

**The Speaker:** Order, the hon. member for Saint-Hyacinthe—Bagot.

\* \* \*

[Translation]

### AFFORDABLE HOUSING

**Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP):** Mr. Speaker, according to Campaign 2000, some 750,000 Canadian children under 15 are living in unsanitary housing. The problem is more acute among aboriginals. Canada is the only industrialized country that does not have a national affordable housing strategy.

It has been 20 years since the House unanimously adopted a resolution to end child poverty and not a single measure has been taken. Only the NDP has made concrete proposals. What is the government waiting for to follow through?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, it is the NDP that has done nothing to help people who need affordable housing. For example, under our economic action plan, we provided funding to more than 14,000 projects to build and renovate affordable housing. The NDP members are the ones who voted against that measure. We also provided funding to help in the construction and renovation of affordable housing for aboriginals and seniors. The NDP voted against that measure.

\* \* \*

[English]

### JUSTICE

**Mr. Kyle Seeback (Brampton West, CPC):** Mr. Speaker, our government believes that polygamy has no place in modern society. Polygamy inevitably leads to the exploitation of women, sometimes even young girls, who are given no other choice. This is unacceptable to Canadians and to our government.

We have already raised the age of consent from 14 to 16 and currently have legislation before this House that would crack down on a wide variety of child sexual offences.

Could the minister please update the House regarding the decision from the B.C. Supreme Court on this issue?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, needless to say that the B.C. Supreme Court has upheld the prohibition against polygamy. Polygamy has no place in modern society and the prohibition is consistent with Canadian values, the charter and the Canadian Bill of Rights.



### Oral Questions

In our view, polygamy is harmful to society, to those involved with it, particularly to women and to children born within polygamous families.

Again, we are very pleased with the decision today.

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### CITIZENSHIP AND IMMIGRATION

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, warning signs of mismanagement are mounting at Citizenship and Immigration. Excessive backlogs and wait times, cuts to successful programs, and a failure to address pressing labour needs are well-known. However now the Auditor General finds that officials lack the training they need, the manuals are out of date, and they are using 50-year-old health screening standards. Most glaring, they are missing a quality management system, even though one was first recommended in 2000.

Taking 11 years to even start quality control is unacceptable.

Could the minister explain his failure to Canadians?

• (1455)

**Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC):** Mr. Speaker, we have accepted the Auditor General's recommendations and have already been working with all the relevant agencies to improve practices in this respect.

However, when it comes to immigration security screening, our government is moving forward with biometric visas, so that we can obtain biometric data and fingerprints on people, foreign nationals, seeking to enter Canada in order to check them against a security watch list. The NDP opposes that.

Our government has taken real action to start reducing the big backlogs in immigration that we inherited from the Liberals. Guess what? The NDP opposed every measure that we have taken.

If we had followed the advice of the NDP, the total immigration backlog would now be 1.5 million rather than going down. We are taking action to improve—

**The Speaker:** Order, the hon. member for Saint-Lambert.

[Translation]

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, blaming the Liberals is easy, but it is not an answer. The minister bragged that he could finally apply the recommendations made in 2000. Why did they wait so long?

Border officers do not know whether or how their system is working. Their training has been reduced to the minimum and they do not have access to the basic tools. Most decisions are not reviewed and basic mandatory examinations are not always done.

When will the minister accept responsibility for his mistakes?

**Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC):** Mr. Speaker, as I said earlier, we have accepted the Auditor General's recommendations and have taken the necessary action. We are working with the relevant agencies.

That said, when it comes to immigration security screening, our government is moving forward with a biometric program to identify foreigners who could pose a threat to Canada. Unfortunately, the

NDP is opposed to this initiative that would protect Canada. It is even opposed to our bill to reduce the immigration backlog we inherited from the Liberals.

[English]

### TELECOMMUNICATIONS INDUSTRY

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, reports today say that the government is moving to allow more foreign ownership in our telecommunications industry. The Telecommunications Act states that one of its very purposes is to promote the ownership and control of Canadian carriers by Canadians.

When is the government going to stop making foreign corporations its priority and instead put Canadian consumers first?

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, I would like to remind my colleagues that no decisions with regard to the upcoming spectrum auctions and foreign investment have been made yet.

For the benefit of the member across the way, let me reiterate that in budget 2011 our government committed to an examination of foreign investment rules in the telecom sector. Our aim is to create better choices and lower costs for consumers. When we make decisions on how best to meet these targets, we will announce them directly and clearly.

[Translation]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, as usual, the government is saying that increased competition will lower prices, but international experience shows that the correlation between the number of competitors and price levels is very weak, especially in the telecommunications sector.

Telecommunications are part of Canada's strategic infrastructure and this government is prepared to hand part of it over to foreign interests based on uncertain expectations in terms of pricing.

Instead of threatening the domestic ownership of such crucial infrastructure, why does the government not directly help protect consumers from industry abuses, as Quebec did with cell phone contracts?

*Oral Questions*

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, for the benefit of the member opposite, I would like to reiterate that, in the 2011 budget, we committed to studying the rules surrounding foreign investment in the telecommunications sector. The goal is to offer consumers more choices and lower prices. When a decision is made, one that fulfills these objectives, we will make a direct, clear announcement.

Allow me to say that, unlike the members opposite, we will not propose a tax hike of \$10 billion. That would kill the economy. That would drastically increase costs and there would be no more jobs in Canada.

\* \* \*

[English]

**CANADIAN WHEAT BOARD**

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, the Conservatives cut off debate on the Canadian Wheat Board in the House twice and they tied the committee's hands behind its back. They tried and failed to pre-emptively cut off debate in the Senate. They ignored the farmer vote. They are deaf to farmers' voices. They have taken their clout away, and now \$200 million of their hard-earned dollars and put our national food sovereignty in jeopardy.

Could the minister tell the House if he gave a second thought to how he is disfiguring western provinces and rural life with his ideological steamroller?

• (1500)

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC):** Mr. Speaker, there is a reason why we cut off debate when that is all we get. That is the quality of debate.

We have three of the provinces affected by the Canadian Wheat Board area onside with us. They are looking forward to rural development. We have already seen announcements in small town western Canada that will add development and value-added to Wheat Board crops.

We are on the right track. We are balanced and buoyed by the farmers in the Wheat Board area, and by the provinces affected as well.

\* \* \*

**THE ENVIRONMENT**

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, the Minister of the Environment has twice denigrated reporters when his position is challenged. But clearly the real problem is the news reader across the way.

I have the briefing note which says there is no duplication in Canada's ozone monitoring networks, which means they cannot be optimized and streamlined, only cut. Answers to an order paper question, signed by the minister, also say there is no duplication.

Will the government finally admit there will be cuts to the ozone program?

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, I reject all of the assumptions of my hon. colleague yet once again.

I would also, again, suggest that she use more reliable research than that to which she has made a practice of using.

Environment Canada will—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please. The member for Etobicoke North has asked the question. The minister has the floor.

The hon. Minister of the Environment.

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, once again, Environment Canada will continue to monitor ozone. The World Ozone and Ultraviolet Radiation Data Centre will continue to deliver world-class services.

[Translation]

**Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP):** Mr. Speaker, according to the National Energy Board, oil sands production is expected to triple by 2035. Canada's 21st century economy cannot be based on the oil sands alone. Compared to other G20 countries, Canada ranks near the bottom in terms of clean energy investment. Instead of seizing the opportunity to be among the best, this government is simply twiddling its thumbs.

Will the government get out of the sandbox and follow the example set by the rest of the world?

[English]

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, I congratulate my hon. colleague on the good news of future prosperity driven by the development of the oil sands. I would remind her that Environment Canada administers and enforces any number of acts and regulations which impose requirements on the oil sands. We conduct inspections and participate in environmental assessments. In July, I brought in a new monitoring program for water, air and biodiversity.

The government is balancing jobs and protecting the environment.

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, the world is watching Canada's oil sands and it does not like what it is seeing. The European Union is considering penalizing Canadian oil and the U.S. just backed down on Keystone, in part because of our total lack of action on climate.

We live here. It is Canadian land, air and water at stake. Our major trading partners are speaking up, but our government remains silent.

Why is the government not worried about the health, safety and prosperity of all Canadians?

**Hon. Joe Oliver (Minister of Natural Resources, CPC):** Mr. Speaker, the NDP members keep talking about the environment. Do they not understand that building—

**Some hon. members:** Oh, oh!



### Oral Questions

**The Speaker:** As I have asked on previous occasions, could members please hold their applause until the minister is finished answering. I think that would allow for a better flow for question period.

The hon. Minister of Natural Resources.

**Hon. Joe Oliver:** Mr. Speaker, does the NDP not understand that building Keystone would reduce U.S. imports of Venezuelan heavy crude, which is comparable in GHG emissions to oil sands. Blocking Keystone would not reduce emissions, but it would kill Canadian job prospects.

Why is the NDP favouring Venezuelan jobs over Canadians jobs?

\* \* \*

• (1505)

### INFRASTRUCTURE

**Mr. Lawrence Toet (Elmwood—Transcona, CPC):** Mr. Speaker, this week the Auditor General released a second report that gives our government strong marks for the delivery of Canada's economic action plan. During the global economic recession, Infrastructure Canada played a key role in stimulating our economy to create jobs for Canadians right across the country.

Can the Minister of Transport, Infrastructure and Communities please inform the House about the Auditor General's findings as to how Infrastructure Canada administered the infrastructure stimulus fund under the economic action plan?

[Translation]

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, I thank my colleague for the question. We are proud of the fact that the Auditor General confirmed that Infrastructure Canada delivered the infrastructure stimulus program effectively. The employees of Infrastructure Canada and development agencies across the country did an enormous amount of work. Under very tight deadlines, they worked diligently and professionally to oversee the completion of thousands of projects across the country, and we owe them our thanks. Congratulations to the entire team.

\* \* \*

[English]

### HEALTH

**Hon. Hedy Fry (Vancouver Centre, Lib.):** Mr. Speaker, yesterday, the Auditor General pointed out failures in Health Canada's drug review system that the government had pledged to fix back in 2007. Because of the government's failure to act, Canadians wait years to find out, if they find out at all, whether their drug is safe and effective. Because of government's failure, the health of every Canadian has been put at risk.

Why was this process not fixed five years ago? Why should Canadians believe that the minister will fix the process now when the government has known about it for so long?

**Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC):** Mr.

Speaker, our government agrees with the Auditor General's recommendations and findings.

Work is already under way to address the recommendations outlined. My department is making improvements on how Health Canada responds to reports concerning products that are on the market.

Again, the health and safety of Canadians is a priority for our government. We are putting the processes in place to ensure that the products on the market are safe, efficient and reliable for all Canadians.

\* \* \*

[Translation]

### PUBLIC SAFETY

**Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP):** Mr. Speaker, a few days ago, the chair of the Security Intelligence Review Committee was forced to resign because of questionable financial transactions. We have learned that another committee member, the former Quebec health minister, Philippe Couillard, is also serving as an advisor to the Government of Saudi Arabia.

Can the Minister of Public Safety explain how the organization responsible for overseeing CSIS will ensure that its committee members are truly independent and free of conflict of interest?

[English]

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, our government takes the security of the information relating to Canadians' national security very seriously.

Dr. Couillard practised for years as an internationally recognized neurosurgeon. He also happens to be a member of the International Advisory Board, Ministry of Health, Kingdom of Saudi Arabia. This involvement predates his appointment to SIRC, and was fully disclosed.

We do not believe this to be any sort of conflict of interest.

\* \* \*

### FIREARMS REGISTRY

**Mr. Jay Aspin (Nipissing—Timiskaming, CPC):** Mr. Speaker, Canadians gave our government a strong mandate to end the wasteful and ineffective long gun registry once and for all.

It is obvious to my constituents that ending the long gun registry means destroying the records. There is obviously no distinction between the records and the registry. They find it concerning that the opposition has put such a focus on their desire to keep these records on law-abiding hunters, farmers and sport shooters.

Could the minister please tell this House why he wants to destroy the records, and why he believes the opposition is so keen to keep them?

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, I thank the member for his hard work on behalf of his constituents on this matter.

It is impossible to scrap the registry without scrapping the records. Canadians find it unacceptable to hear people like big union boss and NDP insider leadership candidate Brian Topp suggesting that the will of Canadians in the last election be overthrown and the long gun registry be reinstated some time in the future.

I was pleased to see the leadership candidate from Skeena—Bulkley Valley reject that idea, and I hope he has the courage to stand up for his constituents to ensure—

• (1510)

**The Speaker:** The hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup.

\* \* \*

[Translation]

### ASBESTOS

**Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP):** Mr. Speaker, a growing number of Conservative MPs are questioning the government's position on asbestos. The government is making them betray their own conscience and support an industry that exports disease. The Asbestos mine recovery plan is not working and the mine in Thetford Mines has closed down its operations. Tomorrow morning, no one in Quebec will be paid for handling asbestos—absolutely no one. The minister's broken record is not creating any jobs.

Will he finally realize that an economic diversification plan is urgently needed to create jobs for the people in his region?

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, for more than 30 years, the Government of Canada has been supporting the safe use of chrysotile asbestos and recent scientific studies show that chrysotile fibre can be used safely in a controlled environment at the national or international level.

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### JUSTICE

**Mrs. Maria Mourani (Ahuntsic, BQ):** Mr. Speaker, by ramming through Bill C-10 on the Criminal Code, the Government of Canada is going to impose its values on the Government of Quebec and stick it with the bill as well. Quebec's National Assembly is currently debating whether the Government of Quebec should take action to establish its own criminal code.

Will the Prime Minister respond to Quebec's requests related to the Criminal Code, if Quebec asks him to?

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, it will absolutely not be necessary for Quebec to create its own criminal code. I would like to invite the hon. member to carefully read Bill C-10 because it is designed to protect both Canadians and Quebecers. That is what the people asked us to do and that is what we are doing.

[English]

**The Speaker:** That concludes question period for today.

### Privilege

[Translation]

### PRESENCE IN THE GALLERY

**The Speaker:** I would like to draw to the attention of hon. members the presence in the gallery of the winners of the 2011 Governor General's Literary Awards: Patrick deWitt, Phil Hall, Erin Shields, Christopher Moore, Cybèle Young, Donald Winkley, Perrine Leblanc, Louise Dupré, Georges Leroux, Martin Fournier, Caroline Merola, Marise Warda, and Charles Foran.

**Some hon. members:** Hear, hear!

[English]

**The Speaker:** The Chair has notice of a question of privilege from the hon. President of the Treasury Board.

\* \* \*

### PRIVILEGE

#### STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, it has come to my attention that certain changes were made to the evidence of the meeting of the Standing Committee on Public Accounts on November 2, 2011, including my testimony. Members of the NDP opposition have alleged that I made those changes. I did not, nor did anyone in my employ. These baseless and outrageous allegations form a serious breach of my privilege, which is impeding my work as a member of this House and as a minister of the Crown.

Mr. Speaker, I respectfully ask that you review this matter to determine how and why these changes were made and that you provide assurances to this House as to the reasons for any changes to the official record of this place. The suggestions from the opposition regarding any role by me are absolutely false, and I look forward to your attention to this matter.

In conclusion, Mr. Speaker, I believe you will find all the necessary information in my letter that I provided to you before question period.

Thank you for your attention to this matter.

**The Speaker:** I will go to the member for Windsor—Tecumseh on the same point.

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, this is coming as news to us. We would want the opportunity to review or perhaps see the letter that he has forwarded to your office so that we can see whether we will take a position on this given the accusations that we are now hearing from him that we have made accusations against him. That is all new to us and we would like the opportunity to respond.

**The Speaker:** I look forward to the intervention from the member or anyone from the NDP if they do choose to make comments on this matter.

The hon. member for Vancouver Quadra on a point of order.



*Routine Proceedings***POINTS OF ORDER**

## QUESTION PERIOD

**Ms. Joyce Murray (Vancouver Quadra, Lib.):** Mr. Speaker, the member for Vancouver South made a false statement about my social media communications and I would request that the member retract her remarks and correct the record. None of my tweets have referred to a carbon tax.

While she is at it, perhaps she could ask her colleague, the Minister of the Environment, why the government is such a dismal failure on the issue of climate change?

**Some hon. members:** Oh, oh!

● (1515)

**The Speaker:** Order, please. As I mentioned, question period has already concluded for today.

The hon. member for Etobicoke North on a point of order.

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, I asked the Minister of the Environment a question and cited a response to an order paper question signed by the minister himself. The minister's response was that I should use more reliable sources. The minister's answer suggests that the minister's order paper response is wrong and has misled the House.

To give him the benefit of the doubt, I suppose the minister either misled the House in his order paper response or he is misleading the House now—

**The Speaker:** I am sorry but I have not heard anything to this point that is a point of order.

**Mr. Massimo Pacetti:** She is getting to the point.

**Hon. Hedy Fry:** She is not finished.

**The Speaker:** I would ask her to quickly make the point so the House can move on.

**Ms. Kirsty Duncan:** Mr. Speaker, I would ask you to remind the minister of the importance of honestly answering both order paper questions and oral—

**The Speaker:** I still have not heard anything that is a point of order.

The hon. member for Westmount—Ville-Marie on a different point.

\* \* \*

**PRIVILEGE**

## STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Mr. Speaker, following up on what the member for Windsor—Tecumseh said, would it be possible for the Liberal Party to also have a copy of the letter that is in question that was mentioned by the President of the Treasury Board?

**The Speaker:** I understand that both the NDP and Liberal members may wish to make comments on the point raised by the President of the Treasury Board. The Chair will hold off on making a decision until they have the opportunity to obtain more information.

**ROUTINE PROCEEDINGS**

[English]

**AFGHANISTAN**

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, pursuant to Standing Order 32(2) I have the honour to table, in both official languages, the report entitled, "Canada's Engagement in Afghanistan, Quarterly Report to Parliament", for the period between April 1 and June 30.

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**GOVERNMENT RESPONSE TO PETITIONS**

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, pursuant to Standing Order 36.8 I have the honour to table, in both official languages, the government's responses to eight petitions.

\* \* \*

**FIRST NATIONS FINANCIAL TRANSPARENCY ACT**

**Hon. Peter Penashue (for the Minister of Aboriginal Affairs and Northern Development)** moved for leave to introduce Bill C-27, An Act to enhance the financial accountability and transparency of First Nations.

(Motions deemed adopted, bill read the first time and printed)

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**INTERPARLIAMENTARY DELEGATIONS**

**Mr. Peter Goldring (Edmonton East, CPC):** Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present to the House, in both official languages, the report of the Canadian parliamentary delegation of the Canada-Europe Parliamentary Association respecting its participation in the meeting of the Standing Committee of Parliamentarians of the Arctic Region held in the Komi Republic of Russia, September 28 and 29, 2011.

**Mr. Bruce Hyer (Thunder Bay—Superior North, NDP):** Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present to the House, in both official languages, the report of the Canadian parliamentary delegation of the Canada-Europe Parliamentary Association respecting our participation in the fourth part of the 2011 Ordinary Session of the Parliamentary Assembly of the Council of Europe held in Strasbourg, France, October 3 to 7, 2011.

Among the issues that I joined in debating and addressing there included abuse of state secrecy and national security internationally, human rights and the fight against terrorism, protection of privacy and personal data on the Internet and online media, and controlling child prostitution and child pornography.

In addition, I and the member for Saint-Léonard—Saint-Michel met with the Secretary-General of the Organisation for Economic Co-operation and Development.

I am pleased to submit this report.

● (1520)

**COMMITTEES OF THE HOUSE****GOVERNMENT OPERATIONS AND ESTIMATES**

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Committee on Government Operations and Estimates in relation to its study on the effectiveness of the Office of Small and Medium Enterprises, OSME, and the Canadian Innovation Commercialization Program.

Therefore, pursuant to Standing Order 109 the committee requests that the government table a comprehensive response to this report.

\* \* \*

**DEFENCE OF CANADA MEDAL (1946-1989)**

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP)** moved for leave to introduce Bill C-354, An Act respecting the establishment and award of a Defence of Canada Medal (1946-1989).

She said: Mr. Speaker, I am proud to be able to reintroduce this bill for the establishment and award of a defence of Canada medal for the men and women who served in the defence of Canada during the cold war. This act represents the hard work and vision of one of my constituents, retired Captain Ulrich Krings of Elliot Lake, who presented me with this proposal shortly after I was elected in 2008.

Its purpose is to formally honour the people who defended Canada from within Canada for the period from 1946 to 1989. As such, it is intended to be awarded to individuals who served in the regular and reserve forces, police forces, emergency measures organizations, as well as civil organizations, such as St. John Ambulance, all of whom were concerned with the protection of Canada from the threat posed by the countries behind the Iron Curtain.

[Translation]

This medal will recognize the support of the men and woman who gave countless hours to Canadians as they trained and prepared in case of an attack on Canadian soil, which fortunately never took place.

[English]

Their service to our country came at a time when we became aware of how fragile peace can be and how vulnerable we may become to advances in weapons of warfare. This medal would give something back to all those who worked in those years to keep us safe and prepared.

I thank my colleague from Thunder Bay—Rainy River for his continued support on this bill and for seconding this item for a second time.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

**CANADA ELECTIONS ACT**

**Mr. Don Davies (Vancouver Kingsway, NDP)** moved for leave to introduce Bill C-355, An Act to amend the Canada Elections Act (voting hours).

*Routine Proceedings*

He said: Mr. Speaker, I rise to introduce a bill that I believe would improve democracy by expanding access to voting in Canada. This bill would extend the hours of voting in federal elections from 7 a.m. to 10 p.m. in every province and territory.

This is an important measure to standardize voting hours across the country. For example, currently voters in British Columbia vote between 7 a.m. and 7 p.m., whereas voters in Ontario have until 9:30 p.m. to cast their ballots.

More important, this bill would improve the ability of every Canadian to exercise his or her democratic choice by extending the time period in which to cast a ballot.

Voter turnout in federal elections has been declining steadily since the mid-1980s. In the most recent federal election, voter participation was only 61%. There are many reasons for declining turnout but one of them is certainly the barriers people face to vote. Canadians lead lives that are busier than ever. There are single parents and families with two working parents. There are seniors who must rely on others to get them to the polls.

Our democracy is valuable. It is worth protecting. Expanding voting hours is a small but important step and I hope all members of the House will support it, with special thanks to my colleague, the member for Hochelaga for seconding this.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

[Translation]

**FEDERAL LAW—CIVIL LAW HARMONIZATION ACT, NO. 3**

(Bill S-3. On the Order: Government Orders:)

November 16, 2011—Second reading of Bill S-3, A third Act to harmonize federal law with the civil law of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law—The Minister of Justice.

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** He said: Mr. Speaker, there have been discussions among the parties, and I believe you would find consent for the following motion. I move:

That, notwithstanding any standing order or usual practices of the House, Bill S-3, A third Act to harmonize federal law with the civil law of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law be deemed to have been read a second time and referred to a Committee of the Whole, deemed considered in Committee of the Whole, deemed reported without amendment, deemed concurred in at the report stage and deemed read a third time and passed.

● (1525)

[English]

**The Speaker:** Does the hon. government House leader have the unanimous consent of the House to propose this motion?

**Some hon. members:** Agreed.



*Routine Proceedings*

**The Speaker:** The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

(Motion agreed to, bill read the second time, considered in committee of the whole, reported, concurred in, read the third time and passed)

\* \* \*

**PETITIONS**

BILL C-10

**Ms. Denise Savoie (Victoria, NDP):** Mr. Speaker, I am pleased to present a petition signed by over 100 constituents of Victoria who are expressing concern over Bill C-10 for two reasons.

They state that the costs have not been properly assessed and that the costs would fall to the provinces and would impact effective prevention programs. They are also concerned about the breadth and scope of the bill and they ask that the bill be divided so that it can be studied more attentively and more closely.

FALUN GONG

**Mr. Garry Breitkreuz (Yorkton—Melville, CPC):** Mr. Speaker, it is an honour today to present a petition that urges the Canadian government to continuously use every possible channel to call for an end to the persecution of the Falun Gong in China. This petition comes from Canadians right across this country.

Falun Gong is a peaceful and beneficial spiritual practice centred on the principles of truth, compassion, forbearance and a set of five meditation exercises. Falun Gong has been the most severely persecuted group in China since July 1999 when the Chinese Communist Party launched an eradication campaign against Falun Gong practitioners. The policy to destroy their reputation, bankrupt them financially and eliminate them completely has led to the arbitrary detention and torture of hundreds of thousands of Falun Gong practitioners for their beliefs.

The UN Special Rapporteur on torture reported that 66% of the victims of alleged torture and ill-treatment in China were Falun Gong practitioners. The cruelty and brutality of these alleged acts of torture defy description. More than 3,448 practitioners have been verified as having been tortured to death.

Free and democratic nations have a responsibility to condemn crimes against humanity wherever they occur. Therefore, the petitioners urgently call on our government to continuously use every possible channel to call for an end to the persecution of Falun Gong, especially at meetings with top Chinese leaders and at international fora and help rescue—

**The Speaker:** I would stop the member there and remind all members that in order to accommodate all the people who are rising, the member is supposed to give a brief summary of the petition.

The hon. member for Random—Burin—St. George's.

SEARCH AND RESCUE

**Ms. Judy Foote (Random—Burin—St. George's, Lib.):** Mr. Speaker, I rise today to present a petition against the closure of the

Marine Rescue Sub-Centre in St. John's, Newfoundland and Labrador.

This petition has been signed by close to 100 members of the Canadian Marine Advisory Council, which is Canada's leading consultative body for all issues affecting maritime safety in Canada. These are members who come from every province in our country and some from our territories. They say that the decision to close the Maritime Rescue Sub-Centre in St. John's is irresponsible, in fact a reckless decision, because it puts in jeopardy the lives of those who earn their living at sea and even those are vacationing on tour ships. They say we need to ensure that the centre continues to operate. We need to be able to take advantage of the local knowledge, the history and the skill set of the employees who work at the centre. The petitioners call on the government to rescind this reckless decision, change its mind and say we have to keep this open.

When a body like the Canadian Marine Advisory Council says that we should—

**The Speaker:** Order. I see a lot of members rising to present petitions, so again I am going to ask all hon. members to provide a brief summary so that we can accommodate everyone trying to present petitions.

The hon. member for Bruce—Grey—Owen Sound.

CANADIAN BROADCASTING CORPORATION

**Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC):** Mr. Speaker, it is a pleasure today to stand and present a petition from approximately 30 constituents from across this country asking for the government to de-fund the Canadian Broadcasting Corporation. They point out that the Government of Canada funds the CBC by a sum of \$1.1 billion per annum and that the vast amount of funding the government gives the CBC gives the CBC an unfair advantage over its private sector competitors. They call on Parliament to end public funding of the Canadian Broadcasting Corporation.

● (1530)

ASBESTOS

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, I am proud to stand today to introduce a petition signed by literally thousands of Canadians, who call upon Parliament to take note that asbestos is the greatest industrial killer that the world has ever known. In fact, they point that more Canadians now die from asbestos than all other industrial or occupational causes combined, yet we remain one of the largest producers and exporters in the world. Therefore, the petitioners call upon Parliament to ban asbestos in all of its forms and institute a just transition program for asbestos workers and the communities they live in; to end all government subsidies of asbestos, both in Canada and abroad; and finally, to stop blocking international health and safety conventions designed to protect workers from asbestos, such as the Rotterdam Convention.

## CANADIAN WHEAT BOARD

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, I rise to submit a petition signed by hundreds of western Canadian grain and barley farmers concerned with the government's ideological plan to kill the Canadian Wheat Board without first holding a plebiscite of its membership as it is required to do by section 47.1 of the Canadian Wheat Board Act. Western Canadian farmers' livelihoods are at risk should they lose the clout of the Canadian Wheat Board to set the best prices for their grain, negotiate fair treatment from the railways and lower transportation costs, which are among the many services it provides. The petitioners demand that the Minister of Agriculture and Agri-Food honour their wishes as expressed democratically through a plebiscite.

## CANADIAN BROADCASTING CORPORATION

**Mr. Devinder Shory (Calgary Northeast, CPC):** Mr. Speaker, I stand today to present a petition of behalf of Canadians who are concerned about the funding CBC receives from the federal government. The petitioners ask the House to create a level playing field and cut the advantage CBC has over its competitors.

## MULTIPLE SCLEROSIS

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, I am pleased to present a petition regarding chronic cerebrospinal venous insufficiency, or CCSVI. There is a long history of abnormal vasculature in MS, which was described by Cruveilhier in 1839 and later by other researchers, including von Rindfleisch in 1863 and Putnam in 1937. There is extensive literature examining such areas as venous stenosis, cerebral hydrodynamics and venous hypertension, inflammation and cerebral plaques, vascular damage to nerves and reduced perfusion. The petitioners call for the Minister of Health to consult experts actively engaged in diagnosis and treatment of CCSVI to undertake phase III clinical trials on an urgent basis in multiple centres across Canada and to require follow-up care.

## THE ENVIRONMENT

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, I have a second petition regarding the atmospheric ozone layer, which is critical to life on earth. We need both upper- and lower-level monitoring using both Brewer methodology and ozonesondes. A senior Environment Canada bureaucrat who publicly defended the federal government's plan to cut funding and eliminate redundancy within the country's ozone monitoring programs privately approved a briefing note that concluded there was in fact no duplication in the network.

The petitioners call upon the Minister of the Environment to develop a plan to ensure the integrity of the ozone monitoring program and to commission a report to assess the adequacy of Canadian contributions to the global observing system for climate in support of the United Nations Framework Convention on Climate Change.

## CANADIAN WHEAT BOARD

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I rise to submit a number of petitions signed by Western Canadian grain and barley farmers concerned with the government's ideological plan to kill the Canadian Wheat Board without first holding a plebiscite of its membership as required by section 47.1 of the Canadian Wheat Board Act. Clearly the minister was afraid to hold a vote because he

## Routine Proceedings

knew he would lose it, just as pro-single desk farmers won every board of directors election.

Western Canadian farmers' livelihoods are at risk should they lose the clout of the Canadian Wheat Board to set the best price for their grain, negotiate fair settlement from the railways and lower transportation costs, which are among the many services it provides.

The petitioners demand the Minister of Agriculture and Agri-Food honour their wishes as expressed democratically through a plebiscite.

• (1535)

## REPUBLIC OF THE FIJI ISLANDS

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, I am very pleased to rise today in the House to present a petition signed by hundreds of people from all over British Columbia calling for the establishment of a high commission in the Republic of Fiji Islands.

The Republic of the Fiji Islands is a member of the Commonwealth. Canada has a very active Fijian Canadian population numbering 100,000 strong. It is a very active population that travels for business and tourist reasons back to Fiji. As the petitioners point out in this petition, the current situation causes inordinate delay and inefficient service for tourist, visa, business and immigration issues for both Canadian and Fijian citizens.

The petitioners note that the United States, Australia, New Zealand, China and India, among other countries, all have embassies or high commissions in Fiji and that this is an overdue service for Canadians of Fijian decent.

I would also like to thank Vince Sharma, who has done a great job in collecting these signatures from all over British Columbia.

## TRANSPORTATION IN LABRADOR

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, I present this petition on behalf of many residents in Labrador, primarily in Mary's Harbour and Forteau.

They call on the federal government to fund the Trans-Labrador Highway, as it is a vital transportation lifeline for Labrador communities. It provides access to generate economic activity and to obtain health care and all other pertinent public services. In particular, they are calling for more funding to provide for much-needed improvements to the highway, including phases two and three of the Trans-Labrador Highway.



*Government Orders*

## ADVERTISING FLYERS

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, I rise to present a petition signed by about 100 residents of Saskatoon. They call upon Parliament to request that the federal Minister of the Environment consider bringing in legislation to require all unsolicited admail and flyers to be produced using easily recyclable hemp paper; phasing in of the use of only hemp paper in the production of all flyers; and, especially in the distribution of flyers, compliance with all “no flyers” signs at private residences at all times, with the exception of election material during elections and material from charities and local community events.

\* \* \*

## QUESTIONS ON THE ORDER PAPER

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I ask that all questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

## GOVERNMENT ORDERS

[English]

## MARKETING FREEDOM FOR GRAIN FARMERS

## BILL C-18—TIME ALLOCATION MOTION

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC)** moved:

That in relation to Bill C-18, An Act to reorganize the Canadian Wheat Board and to make consequential and related amendments to certain Acts, not more than one further sitting day shall be allotted to the consideration of the report stage and one sitting day shall be allotted to the third reading stage of the said bill and, fifteen minutes before the expiry of the time provided for government business on the day allotted to the consideration of the report stage and on the day allotted to the third reading stage of the said bill, any proceedings before the House shall be interrupted, if required for the purpose of the order, and in turn every question necessary for the disposal of the stage of the bill then under consideration shall be put forthwith and successively without further debate or amendment.

**The Speaker:** Pursuant to Standing Order 67.1, there will now be a 30-minute question period. I would invite members who wish to participate in the question period to rise in their place so that the Chair could have a certain idea of how many people would like to participate so we can adequately allocate the time.

If we keep questions to about a minute and answers to about a minute, we could accommodate more members. The opposition members will get preference from the Chair, although the Chair will recognize some members of the government.

The hon. member for Windsor—Tecumseh.

● (1540)

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Madam Speaker, I am getting really good at this. This is the eighth time in this session of Parliament; there was one before the summer break, and now there have been seven more since September. The Conservatives are clearly going to break the former Liberal government's record, as I am sure has been their intention.

However, it took the Liberal government 122 sitting days to use time allocation and closure nine times. The Conservatives are at eight now. We can see, given the legislation still coming, that they are going to break the record in roughly 40 to 45 days; after that, they will probably set all-time records forever and ever.

I have here several pieces of paper that contain extensive quotes from members of the government as well as from current and former cabinet members of the government. I think I have about 15 quotes. In each one of them, the Liberal administration through the 1990s and the early 2000s is castigated for using time allocation and closure. It shows a very high level of hypocritical conduct on the part of the government to try to justify using time allocation when historically it has criticized other governments so many times for doing so.

I wonder how the government House leader can possibly justify the Conservatives' conduct, especially on a bill as important as this one.

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC):** Madam Speaker, it is precisely because the bill is so important that we need to move it through. The industry, farmers and consumers around the world need certainty and clarity that the bill is going to pass. They need to start preparing for next spring's planting. All of the inputs went into the fall rotation already. They are getting ready to own the product, finally, that they are going to put in the ground. It is all about certainty and clarity. We make no apologies for expediting this bill to ensure that farmers, processors and shipping industries will be able to count on the changes that are coming.

**Ms. Niki Ashton (Churchill, NDP):** Madam Speaker, I think many Canadians would be shocked to see what the government is doing. Throughout the debate on Bill C-18, in fact there has been a lack of debate and a lack of interest from the government to actually listen to farmers by allowing them to vote.

However, what is most shocking about the Conservatives' motion for closure today is that in the past they themselves, including the Prime Minister, have spoken against the very tactics they are using today to stop debate, muzzle Canadians and prevent hearing the real questions that they have to hear.

If I may, I will quote the Prime Minister. In 2002, he stated:

We have closure today precisely because there is no deadline and there are no plans. Instead of having deadlines, plans and goals, we must insist on moving forward because the government is simply increasingly embarrassed by the state of the debate and it needs to move on.

How applicable is it today?

I represent the people of Churchill. They know that there is no plan for the money that has been committed to their community. We would like to know the details on the jobs that people are afraid of losing. What about farmers who are worried about what is going to happen over the next six months and, when it comes to young farmers, over their lifetimes? Where are the plans? There are none. The government, to boot, is willing to stop Canadians from being heard.

*Government Orders*

**Hon. Gerry Ritz:** Madam Speaker, I wish the member well in her NDP leadership aspirations. I know we all look forward to the day she will be sitting in the front row.

That said, we certainly do have a deadline. It is August 1, 2012. That is the beginning of the next crop year. Farmers are well versed in what that means to them in moving forward into marketing their own wheat, durum and barley. They are looking forward to it.

When it comes to a plan, we have certainly outlined that plan. Farmers, the industry itself—I met with the grain symposium group here yesterday—and everybody from the farm gate right through to port and beyond, as well as some of the sellers from around the world, are excited by this. Last night the only people missing to hear the positive message we are getting from the full industry as to what is required were representatives from the opposition.

The full industry says we are on the right track. We will work with them to flesh out some of the other details that are required moving forward. However, the basic road map, the plan, is there, including the plan for Churchill. Often I have stood in question period and explained to the member opposite, and I will say it very slowly, that it is \$5 million a year for five years to give them exactly what they have now.

The mayor of Churchill, Mike Spence, is saying this is fantastic; he says there are challenges, but that the bill gives them the opportunity to look ahead and start to diversify the Port of Churchill to build a solid future. He is on board with us. I am not sure why his MP is not.

• (1545)

**Hon. Wayne Easter (Malpeque, Lib.):** Madam Speaker, the whole issue around Bill C-18 is almost unbelievable, the invoking of closure and shutting down debate.

First of all, farmers thought they had the right to a plebiscite under section 47(1). The government denied them that right by bringing in new legislation that basically destroyed the right to a vote. Then it prevented farmers from having a voice by putting closure on the hearings and limiting debate at the legislative committee to five minutes per clause.

That goes against everything we believe in a democracy. People should be able to speak. There should be hearings on the bill in western Canada so farmers can have a voice. In fact, we have a minister that I maintain has violated his oath of office in terms of how he has approached this particular bill.

There are lots of issues here. There are producer cars and short-line rails that the minister has not offered any answers on. How is the grain car allocation going to work to get grain into the ships on time without the Wheat Board?

None of those questions have been answered. This closure motion denies the right to have those issues debated in the House, where they should be debated.

**Hon. Gerry Ritz:** Madam Speaker, what the member for Malpeque has always done well is seed dissent. He was very good at that when he was leading the NFU and nothing really has changed.

On some of the issues that he talks about, of course, the basic tenet of democracy is having one's say, not necessarily having one's way. Certainly everybody has had their say on this for decades. I have not heard anything new in this debate, absolutely nothing, in the last 10 days, 10 weeks, 10 years.

When the member talks about producer cars, he should know, and farmers out there understand, that these are guaranteed under the Canada Grain Act. They are administered by the Canadian Grain Commission. That is not going to change. If farmers decide they want to use a producer car, they will phone the same number they always did. They will fill it with their own product and ship it to port. Mission Terminal has facilities in both Thunder Bay and Vancouver. It is now buying close to 50% of the producer cars. It is using producer cars as its bricks and mortar on the Prairies.

When it comes to short-line rail, one of our short-line rails in central Saskatchewan should triple in size seeing there is huge potential for it to do more.

When it comes to grain logistics, the same folks who load canola and ship it through the system will now be able to do that exact same thing with their wheat, durum and barley. They know how to do it. They do not need advice from the member from Prince Edward Island.

**Mr. Garry Breitkreuz (Yorkton—Melville, CPC):** Madam Speaker, one question farmers in my riding have asked me is, what it is they need to know between now and when marketing freedom comes into effect on August 1, 2012. They want to know because they need market certainty and they need to make economic decisions in the new year before planting begins.

I tell producers in my riding that they would be able to forward contract wheat and barley sales for delivery after August 1, 2012. I tell them that grain companies, end users and the Canadian Wheat Board would be able to offer farmers contracts for delivery after August 1, 2012. I also tell them they would be able to buy and sell futures contracts on wheat and barley with delivery dates after August 1, 2012. The Winnipeg Commodity Exchange has announced plans to offer new Canadian wheat and durum contracts if the legislation is passed. I also tell producers in my riding that they would be able to deliver grain in storage for later sale to the CWB before August 1, 2012.

Could the minister tell the House, if the bill is not passed immediately, what the economic impact would be for farmers?

**Hon. Gerry Ritz:** Madam Speaker, the short answer is that it would have a very negative impact on farmers.

Farmers in western Canada have been marketers extraordinaire when it comes to the world stage and domestic use. Right now they are denied a choice in where and how they market, the timing and price, the ability to pick at their best bottom line advantage.



*Government Orders*

What the member for Yorkton—Melville outlined is absolutely true. As soon as this bill receives royal assent, futures and contracting will begin to take place for delivery after August 1, 2012, including the new Canadian wheat board entity, which will be there. The choice will be up to the farmer whether he or she wants to market through the existing Canadian wheat board structure or on his or her own.

● (1550)

**Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP):** Madam Speaker, what is being denied farmers right now is a choice and a voice for everybody who wants to defend it right now.

[Translation]

I am sorry, but I simply cannot believe that the government is presenting another time allocation motion. I cannot believe that it wants to shove this down our throats again.

I want to read another quote.

For the government to bring in closure and time allocation is wrong. It sends out the wrong message to the people of Canada. It tells the people of Canada that the government is afraid of debate, afraid of discussion and afraid of publicly justifying the steps it has taken.

It was the Minister of Public Safety who said that.

How can the government tell us once again that we are not entitled to represent people who have concerns, who are wondering how this could be happening and who do not agree with the measures the government wants to take? It is our job to defend them and speak on their behalf. Once again, the government is silencing us. It is not worried about people, farmers or the decision the farmers have made. It is denying them the right to vote on this issue and that is the end of it. I cannot understand that. It is completely unacceptable.

[English]

**Hon. Gerry Ritz:** Certainly, Madam Speaker, everyone has a right to speak in this place, and of course the hon. member just exercised that right. However, rather than actually bringing forward an issue that farmers may want to talk about, she just did a little rant about her own personal space being violated.

Certainly we identify with that and we take that to heart, but at the end of the day, we put our strength and effort on this role by and in place of the farmers who will be affected. That is who we represent.

There are a number of us who have our roots in the farming community. Our families and our friends are still there. When I want to talk to farmers, whether I give them a vote or not, all I have to do is go home on the weekend and drive down my road. I can talk to any farmer I want to at any time. Without exception they are telling me to get this done. We need certainty. We need clarity. We need to move on. We need to look at the future. We need the same rights and privileges as farmers have in the rest of Canada.

Why does the opposition want to hold back western Canadian farmers? That is the part I find untenable.

**Mr. Frank Valeriote (Guelph, Lib.):** Madam Speaker, what confounds me is that the minister pledged in March, before the election, that he would not act arbitrarily, that he would listen to farmers. He said it in Minnedosa. It was reported in the *Manitoba Cooperator*. What did he do? As soon as the election went by and

the Conservatives received 39% of the vote—that is it, 39%, which is not a majority of voters—he ignored the farmers. He ignored the very plebiscite the farmers were forced to have of their own, the majority of whom supported the board.

I ask the minister, why the betrayal of farmers who have come from out west, farmers who rely on the Wheat Board? Fragmented, the Wheat Board shall fail, and he continually denies it. Why the betrayal?

**The Deputy Speaker:** I will limit questions and comments to one minute to give everybody the opportunity to speak.

**Hon. Gerry Ritz:** Of course, Madam Speaker, I am proud to stand here on behalf of the farmers from my constituency and from western Canada who gave us a strong majority mandate on May 2.

We campaigned openly on this in a number of campaigns and no less in the last election in the spring.

We got direction from the farm groups in western Canada who stand with us and were at the symposium last night, as well as three out of the four provinces that are involved in the Canadian Wheat Board area.

With the exception of Manitoba, which has about 10% of the Wheat Board crops, the other provinces stand with us, so I am not doing this arbitrarily.

I believe in democracy. We saw democracy in action on May 2. We are seeing democracy in action here. We will all have a vote on this later today. Members opposite are more than happy and more than willing to stand up and vote against this should they so desire. At the same time, they will have to explain to western Canadian farmers why they want to pick and choose and allow certain farmers to market a certain way and not others. I cannot understand that conundrum.

**Mr. Matthew Kellway (Beaches—East York, NDP):** Madam Speaker, were this just about Bill C-18 and this one time, that would be harmful enough to democracy and offensive enough to the democratic tradition of this institution and this country, but when the Liberal government previously had an addiction to closure, the members across the way were most offended by that practice. The Minister of Public Safety said most expressively at the time:

Mr. Speaker, yesterday the Prime Minister of Canada swung an axe across the throat of parliament. While committee members had an opportunity to speak to Bill C-36, members of all parties in parliament lost the ability to express the concerns of Canadians.

If the bill was the right thing to do, why did the Prime Minister do the wrong thing by invoking closure?

I return that question to the government. If it is doing the right thing, why does it keep invoking closure?

● (1555)

**Hon. Gerry Ritz:** Madam Speaker, I have no idea what piece of legislation the member opposite is talking about.

*Government Orders*

In this case, what we owe western Canadian farmers, the industry in western Canada, shippers and everybody else is certainty and clarity as to what is going to happen.

We have a lot of international marketplaces that are watching this with quite a bit of interest. I have had calls from buyers around the world asking if they will still have access to the top quality and consistency of Canadian grain. My answer is simple, absolutely. It is farmers in western Canada who provide that quality and that consistency, not the Wheat Board.

The Wheat Board has been a selling agent. That is all. It has actually been a buying agent, not even a selling agent. The vast majority of the slippage that we have seen in wheat, durum and barley is because of the single desk. Farmers cannot make a good return on that, so they have stopped growing it. We need to reinvigorate that. We need to get that back into our rotations, and continue to feed a growing and hungry world.

**Mr. Chris Warkentin (Peace River, CPC):** Mr. Speaker, I happen to represent a significant number of wheat and barley farmers, and they are very concerned.

As a matter of fact I returned to the office the other day, and there was a message from Gary. The message was simply to please call Gary; he is upset about the Canadian Wheat Board.

I called him. I assumed he was going to be frustrated about a whole host of things. I was curious as to what his opinion was with regard to the changes at the Canadian Wheat Board. He said that we had talked about the Canadian Wheat Board some time ago. I said that I was sure that we did. He asked, "Why are you giving the Canadian Wheat Board another eight months to limit my freedom?"

It is important that the minister clarify why it is important that this be an orderly transition, and that we give certainty not only to the markets but also to people like Gary so that he can make decisions with regard to the next number of months as he plans his crop rotations for the coming year.

**Hon. Gerry Ritz:** Madam Speaker, the existing Canadian Wheat Board will stay in play until August 1, 2012. That is the right time to make the transition to the free market.

What will happen at that point is we will actually have the existing Canadian Wheat Board winding down its operations, still able to sell, still able to fill marketplaces, should it so desire. The new entity, the optional entity, will be spooling up, contracting, offering futures, moving forward, making sure it has farmers' grain to market and fulfill that great Canadian brand that is out there all over the world.

At the same time industry will be ratcheting up its buying power and moving forward. This is great. We will have more than one person bidding on our grain. There will be a number of them. What that does is it drives the price up.

The quality and consistency are still there, guaranteed by the farmer. Now we are going to have other people bidding to sell our product. That is only going to take things higher. That is great.

[Translation]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Madam Speaker, I am pleased to have the opportunity to speak about another time allocation motion introduced by the Conservative government.

In the past, the Conservatives were very angry when the Liberals did the same thing. However, now that they are in power, the Conservatives are doing it just as much as the Liberals did before them. I would like to quote the current Prime Minister who, at that time, said:

I fear the longer I am here the reason it does some of this is it really ultimately wants to rush committee stage of these bills.

Committee stage is where the public and affected interests get to express their views on the bill to indicate where amendments should be made and where parliamentarians and other expert witnesses are able to go over the clause by clause of a bill to suggest...amendments.

That is what we have been wanting to do for a long time, and I think it is a shame that the government is once again trying to move things too quickly. We agree that Parliament must act but the members who represent their ridings must also be given time to speak and make suggestions.

[English]

**Hon. Gerry Ritz:** Madam Speaker, what I find perplexing is no one has the inability to speak. We all have that ability.

We have an opportunity here where the minister of the day is before the House of Commons for 30 minutes. Members can ask questions and make comments, keeping them short and precise, and all they can do is complain about procedure and process.

The procedure and the process that we are going to put in place is to make sure there is certainty and clarity in the grain industry in western Canada. We are going to put this legislation through. We are going to get it through in a timely fashion to give that certainty and clarity to the complete industry, right from the farm gate on through to loading it on the ships and getting that top-quality product out there in the world.

● (1600)

[Translation]

**Mr. Marc-André Morin (Laurentides—Labelle, NDP):** Mr. Speaker, the question I have to ask myself about this government is how can it always be so sure that it is right? Personally, I think there is a problem when someone is always sure that they are right. That is a common characteristic of all dictators throughout history. Alexander the Great, Napoleon Bonaparte and Stalin come to mind. I could name others, but it might become a little insulting.

These people were always convinced that they were right. They could not tolerate any discussion or criticism. If the Conservatives admire these people, they should look closely at their history. They would soon see that Alexander the Great was not so great, not even in height, for he was five foot three. When his lover died, he allegedly drank himself to death.

[English]

**Hon. Gerry Ritz:** Madam Speaker, it sounds like it sucks to be Alexander the Great and Andron. It is just a bad combination, and one is going to fall down.



*Government Orders*

We are talking about ensuring that western Canadian farmers have the clarity and certainty they require to plant the crops they are going to need, ensuring they have the ability to market those crops at the time, place and price of their choosing so they can build their own solid business case and their bottom line. They have proven to us over and over that they can do that with other commodities like canola.

What convinced us that we were on the right track was campaigning hard on this. We had a general election on May 2. Canadians sent us back to this place with certain issues they wanted covered. One of them was to move away from the single desk of the Canadian Wheat Board, move to it as an optional entity to ensure it was there for farmers who wanted to continue to use it.

The address will stay the same. The appointed directors will stay the same for continuity. The Wheat Board will continue to offer marketing for those farmers who choose to use it. Those farmers who do not want to use that single desk, who feel they are held back by it, who want to value-add to their product or market it in their own way will be able to do that too. It is the best of all worlds.

**Ms. Elizabeth May (Saenich—Gulf Islands, GP):** Madam Speaker, with all due respect to the hon. minister, the motion before us is not a question period for the minister on the substance of the bill. It is a motion to limit debate. My comments, like those of other hon. members, are to that subject.

When I first started to come to this place, it was a great privilege to see sitting at that table an honorary table officer, Stanley Knowles, who served in the House and was a great parliamentarian. He said in 1965:

The whole study of parliamentary procedure over the years, indeed over the decades, has been an endeavour to find a balance between the right to speak at as much length as seems desirable, and the right of parliament to make decisions.

I suggest that hon. members on the government benches have not struck the right balance, that when you invoke closure and time on debate over and over again, you lose legitimacy not only in the eyes of the opposition parties, but in the eyes of those people who elected them as members of Parliament.

I ask them to please allow proper debate on the bill.

**The Deputy Speaker:** I would ask all hon. members to direct their comments through the Chair.

**Hon. Gerry Ritz:** Madam Speaker, we have done just that. I have not heard anything different in the last 10 minutes, the last 10 days, the last 10 weeks, the last 10 months, the last 10 years on the debate around the Canadian Wheat Board.

We are following the mandate that we were given on May 2 to come here and use whatever parliamentary means, which we are doing, to ensure this would get through the House and move on in a timely way to give clarity and certainty to the complete industry in western Canada.

That is exactly what we were sent here to do and that is exactly what we will do.

**Hon. Rob Merrifield (Yellowhead, CPC):** Madam Speaker, the questions from my hon. colleagues across the way concern debate on the closure motion. That is what we are debating right now.

For the information of members, I had the privilege of serving on the legislative committee on the Wheat Board. Time was allocated to the committee. There were 64 clauses. If opposition members wished to debate any of the amendments that were put forward, they were allowed to debate them. The time was allocated and we did not use up all of the time. Why not? Because there were not enough amendments to utilize all of the time. That drives right to the question.

This legislation is important to farmers. It is not about destroying the Wheat Board; it about allowing farmers an option. They would have the pool option or an alternative option. We will not throw them in jail just because they move their product to an alternative source. I wonder if the—

• (1605)

**The Deputy Speaker:** Order, please. The hon. Minister of Agriculture.

**Hon. Gerry Ritz:** The member for Yellowhead is absolutely right, Madam Speaker. Farmers will still have the option of a Wheat Board. It will still be at the same address and it will probably still have some of the same marketers, analysts and sellers that it has had all along to create the continuity.

It has a tremendous brand and the brand is based on the quality and consistency that farmers supply to all of the entities that sell the product. The Wheat Board has slid dramatically backward in the last few years. We are down to less than 15% of the global demand. We used to be above 25%. We have lost that, but what we have maintained is the brand, the quality and consistency that only Canada can supply.

We need more of that. We need more options. Some of the number one buyers from the Canadian Wheat Board, flour mills like Warburtons in Britain, have asked us, now that we are getting rid of the single desk, if it will be less prescriptive and if they can try some different menus and ways of grinding, and we are saying absolutely. We have tagged them out with Earl Geddes at CIGI and we will start to move more product to Warburtons.

[Translation]

**Mr. Mathieu Ravignat (Pontiac, NDP):** Madam Speaker, I am trying to understand why this government is so anxious to end this debate. I consider myself to be a reasonable person, as are the majority of my colleagues. Either the Conservatives are concerned that Canadians might change their opinions at some point if we continue to debate and that things will change for this government, or they are so anxious to make this happen for their constituents, in their specific situation, that they are trampling on the democratic rights of the representatives of every other citizen in Canada.

I do not understand why their tune has changed either. The Minister of Public Safety said—

**The Deputy Speaker:** I am sorry to interrupt the hon. member, but I have to give the minister time to answer the question.

[English]

**Hon. Gerry Ritz:** Endless debate accomplishes nothing, Madam Speaker. People watching this are concerned that we are wasting valuable time when there are other pieces of legislation that need to be moved forward. I know in the member's riding of Pontiac people are concerned about Bill C-10. They want to see that moved forward. They want to see an end to the long gun registry. They want to see those bills back before the House.

What we are doing is expeditiously moving forward legislation to give certainty and clarity to western Canadian farmers. I know the member for Pontiac supports farmers in his riding and I hope he will do the same for the farmers in mine.

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Madam Speaker, the minister talked about the single desk. There seems to be a philosophical ideological twist against the idea of single desk. Speaking of which, would he recommend to his cabinet colleagues that the Minister of Fisheries and Oceans get rid of the single desk at the Freshwater Fish Marketing Corporation in Manitoba?

**Hon. Gerry Ritz:** Madam Speaker, I welcome the question from the member for Bonavista—Gander—Grand Falls—Windsor, the great. It is a tremendous question.

Absolutely. The provinces themselves are railing against that. Saskatchewan has asked for an opt out of the freshwater fish. It is planning to exercise that early next year. The provinces support moving toward open marketing, whether it is the Freshwater Fish Marketing Board or the Canadian Wheat Board. The Saskatchewan government stands with us, looking toward building a future for the fishers and farmers of Saskatchewan. I am proud to represent them.

**The Deputy Speaker:** It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Random—Burin—St. George's, Fisheries and Oceans; the hon. member for Malpeque, Foreign Affairs.

The question is on the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Deputy Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Deputy Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Deputy Speaker:** In my opinion the yeas have it.

*And five or more members having risen:*

**The Deputy Speaker:** Call in the members.

• (1650)

(The House divided on the motion, which was agreed to on the following division:)

## Government Orders

(Division No. 63)

### YEAS

#### Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Bateman	Benoit
Bernier	Bezan
Blaney	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Butt	Calandra
Calkins	Cannan
Carrie	Chisu
Chong	Clarke
Clement	Daniel
Davidson	Dechert
Del Mastro	Devolin
Dreeshen	Dykstra
Fantino	Fast
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)
Flaherty	Galipeau
Gallant	Glover
Goguen	Goldring
Goodyear	Gosal
Gourde	Grewal
Harper	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Hoepfner
Holder	James
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Leef
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunnery	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	Norlock
Nicholson	O'Neill Gordon
O'Connor	Oda
Obhrai	Opitz
Oliver	Payne
Paradis	Poilievre
Penashue	Raït
Preston	Rathgeber
Rajotte	Rempel
Reid	Richardson
Richards	Ritz
Rickford	Schellenberger
Saxton	Shea
Seebach	Shory
Shipley	Sopuck
Smith	Stanton
Sorenson	Strahl
Storseth	Tilson
Sweet	Toews
Toet	Trotter
Trost	Tweed
Truppe	Valcourt
Uppal	Van Loan
Van Kesteren	Wallace
Vellacott	Warkentin
Warawa	Weston (West Vancouver—Sunshine Coast—Sea to
Watson	
Sky Country)	Wilks
Weston (Saint John)	



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Wong  
Yelich  
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## NAYS

## Members

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Aubin  
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Bennett  
Bevington  
Blanchette-Lamothe  
Borg  
Boutin-Sweet  
Brisson  
Byrne  
Cassey  
Charlton  
Choquette  
Cleary  
Comartin  
Cotler  
Cuzner  
Davies (Vancouver East)  
Dion  
Donnelly  
Dubé  
Duscault  
Eyking  
Fortin  
Garneau  
Genest  
Giguère  
Goodale  
Groguché  
Harris (St. John's East)  
Hughes  
Kellway  
Larose  
Laverdière  
LeBlanc (LaSalle—Émard)  
Liu  
Mai  
Martin  
Mathysen  
McCallum  
Michaud  
Morin (Chicoutimi—Le Fjord)  
Morin (Laurentides—Labelle)  
Murray  
Nicholls  
Pacetti  
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Plamondon  
Rafferty  
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Cash  
Chicoine  
Chow  
Coderre  
Côté  
Crowder  
Davies (Vancouver Kingsway)  
Day  
Dionne Labelle  
Doré Lefebvre  
Duncan (Edmonton—Strathcona)  
Easter  
Foote  
Fry  
Garrison  
Genest-Jourdain  
Godin  
Gravelle  
Harris (Scarborough Southwest)  
Hsu  
Jacob  
Lapointe  
Latendresse  
LeBlanc (Beauséjour)  
Leslie  
MacAulay  
Marston  
Masse  
May  
McKay (Scarborough—Guildwood)  
Moore (Abitibi—Témiscamingue)  
Morin (Notre-Dame-de-Grâce—Lachine)  
Morin (Saint-Hyacinthe—Bagot)  
Nantel  
Nunez-Melo  
Papillon  
Pécllet  
Pilon  
Quach  
Ravignat  
Regan  
Sandhu  
Scarpaleggia  
Simms (Bonavista—Gander—Grand Falls—Windsor)  
Sitsabaesan  
Stewart  
Sullivan  
Toone  
Turnel

## PAIRED

Nil

**The Speaker:** I declare the motion carried.

**Hon. Gordon O'Connor:** Mr. Speaker, I rise on a point of order. The member for Burnaby—New Westminster came in after the vote started. The member is not a new member. He should know the rules and his vote should be discounted.

**Ms. Chris Charlton:** Mr. Speaker, the NDP agrees.

**The Speaker:** I am sure the record will reflect that.

I wish to inform the House that because of the proceedings on the time allocation motion, government orders will be extended by 30 minutes.

[*Disturbance in gallery*]

\* \* \*

● (1655)

## POINTS OF ORDER

## TAKING OF PHOTOGRAPHS IN CHAMBER

**The Speaker:** Before moving on to government orders, I understand there are a few points of order.

I will go first to the Parliamentary Secretary to the Minister of Natural Resources.

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):** Mr. Speaker, I think that taking photographs in the House is not allowed. I wonder if the member for Malpeque would like to address that issue and perhaps erase the pictures he was taking with his own cellphone.

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I did take a picture. The sign up in the gallery was the absolute truth in terms of some of those things that the minister—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please. I believe there have been previous rulings about taking pictures. I did not see the hon. member for Malpeque but he has indicated that he did take pictures. I would ask him to respect the rules of the House.

The hon. member for Malpeque.

**Hon. Wayne Easter:** Mr. Speaker, I will erase the picture.

**Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC):** Mr. Speaker, the member for Surrey North also took photos and ran out of the House.

**An hon. member:** Chicken.

**Hon. Gordon O'Connor:** He is guilty of the same offence.

**The Speaker:** Order, please.

The hon. member for London West on a new point.

## DISTURBANCE IN GALLERY

**Mr. Ed Holder (London West, CPC):** Mr. Speaker, I have been in this House now for just over three years and we see various types of conduct. What I just witnessed troubled me. Clearly, all sides have various perspectives on an issue. It is absolutely our privilege to have those differences and to speak to them, sometimes with great enthusiasm. However, what troubled me today was what I witnessed: members of the opposition applauded with a standing ovation the folks from the gallery who had a different view.

Here is my concern, and I say this for the benefit of newer members. We have had situations in the past when security staff have cleared individuals from the galleries who caused mischief in this House. Those individuals put the security staff at risk and put them in the hospital.

I do not believe that encouraging this kind of conduct is appropriate. I would ask that members hold their own views but do not respond to situations such as that in the gallery. That is not acceptable.

**Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP):** Mr. Speaker, that is rich, coming from the government that always talks about freedom of expression and last night introduced a bill—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please.

The hon. member for Acadie—Bathurst.

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, I have been in this House for fourteen and a half years and I have never seen a government put time allocation on a speech in the House and the democracy of our—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please.

Is the hon. member for Scarborough Southwest rising on a point of order?

**Mr. Dan Harris (Scarborough Southwest, NDP):** I most certainly am, Mr. Speaker.

The Minister of State and Chief Government Whip, a few moments ago, while attacking one of our members, made a comment as to whether the member was here. The government whip should know better than to comment on whether someone is here. Furthermore, the members around him were calling that member a chicken, which I believe is unparliamentary, and is now being applauded.

**The Speaker:** I understand that when these types of disruptions occur, it evokes many responses from members.

I would say that the member for London West raises a good point about not encouraging that type of behaviour from the galleries. One day, you may agree with what is being said in terms of the disruption, the next day you may disagree. I think it is important, if we are going to continue to debate in an orderly way, that members respect, and certainly members of the gallery respect, the existing rules regarding behaviour in the galleries.

The Chair has tolerated some back and forth on this because I understand it affects members and gets people very excited but I do think we need to move on.

I see the member for Ottawa—Vanier is rising so I will recognize him. I do hope it is a point of order and not continuing a debate about the merits of what just took place.

• (1700)

**Hon. Mauril Bélanger (Ottawa—Vanier, Lib.):** Mr. Speaker, when we say things we should be careful to not include everyone if that is not the intent.

### *Points of Order*

I agree with what the member for London West said, but not with the way he said it. He insinuated that every member on this side applauded. That was not the case. I think he should be very careful about what he says, because I might raise a question of personal privilege.

**Mr. Ed Holder:** Mr. Speaker, I will respond to that. There were clearly a number of members directly opposite me who did not stand up for that. For any member who did not respond by sitting down, and not responding to the actions in the gallery, then I applaud them. They are examples that we can all look to. If that particular member was one who did not stand, I acknowledge that that was the appropriate action.

### REPORT STAGE

The House resumed consideration of Bill C-18, An Act to reorganize the Canadian Wheat Board and to make consequential and related amendments to certain Acts as reported with amendments from the committee, and of the motions in Group No. 1.

**Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC):** Mr. Speaker, I am pleased to be here to participate in this debate today on a very important piece of legislation that our government believes will position Canadian farmers well with their businesses to capture the marketing opportunities that are open to them.

Western grain farmers want the same marketing freedom and the same opportunities as other farmers in Canada and around the world. Western Canadian grain farmers have what it takes to succeed in an open market. They have shown this very clearly in recent years with the tremendous growth of the canola and pulse industries. The government wants to give wheat and barley farmers in Western Canada the same freedom to market their products as farmers in the rest of Canada because we know this will create new opportunities for them and put more money in their pockets.

The marketing freedom for grain farmers act will give western Canadian wheat and barley farmers the freedom to market their grain as they choose. It will open up a world of possibilities for them, unlocking the economic potential of the prairie grain sector by removing the requirement that they market wheat and barley for the Canadian Wheat Board.

Many farmers have said that the monopoly of the Canadian Wheat Board has prevented them from getting the best prices for their grain. Jason Ranger, a farmer from Saskatchewan, said that one of the big issues with the Wheat Board is that there is a huge lack of transparency and they cannot see the price that it is selling their wheat. When passed, this legislation will allow western Canadian wheat and barley farmers the freedom to make decisions based on what is best for their business.



*Points of Order*

On November 9 four picketers were outside my riding office in Saskatoon protesting Bill C-18. James Findlay, an 88-year-old gentleman who lives in my riding, dropped by my office and let me know that he had approached those picketers. He told them that he was a World War II veteran that fought for Canada and fought for freedom. Mr. Findlay asked the picketers what they had done for Canada. He said he was not saying that because he thought he was better than that generation, he was just securing the liberties for which his generation fought. The poorly timed protest to prevent freedom for western Canadian wheat farmers was not lost on this veteran.

I would like to take a few moments to outline some of the key features and timelines with respect to the transition once the bill becomes law and the Canadian Wheat Board monopoly no longer operates as a monopoly. Once Parliament passes the act, western Canadian wheat and barley producers will be able to forward contract wheat and barley sales for delivery after August 1, 2012. As well, grain companies, end users and the Canadian Wheat Board will all be able to offer farmers contracts for delivery after August 1, 2012, and western Canadian producers will be able to sell future contracts for wheat and barley with delivery dates after August 1, 2012.

I am pleased to say that the Winnipeg exchange has announced its plans to offer new Canadian wheat and durum contracts if the legislation is passed. After that date of August 1, 2012, western Canadian farmers will be able to deliver wheat and barley to any domestic or export buyer. Export licences will no longer be required. At the same time, a new voluntary check-off will be put in place to support research and market development and it will be collected at the point of sale.

The new wheat board will have the ability to buy wheat and barley and pooling arrangements, but other details such as terms of delivery and requirements for prior contracting will be communicated by the wheat board as it develops its plan for operating voluntarily. The 2011 and 2012 pool accounts will be closed in the usual way and final payments should be issued by the end of 2012.

Farmers and members in the grain value chain have also expressed concern about the ongoing availability of producer cars as well as the overall grain handling and transportation system in a marketing freedom environment. I would like to address this issue.

The government is in agreement with recommendations made by the working group on marketing freedom. Through this group the government heard from more than 50 organizations and received 20 written submissions from representatives from all aspects of the grain value chain.

• (1705)

The working group recommended that the reform of Canada's grain marketing approach must be aligned with and supported by the modernization of the Canada Grain Act and the Canadian Grain Commission, as well as timely implementation of the government's response to the rail freight service review. That makes sense.

The working group also recommended that the government give market forces every opportunity to work, which we are very pleased to do.

Contractual arrangements between terminal operators and non-terminal companies have worked successfully for other crops. We expect that facility owners will actively seek arrangements for additional grain volume and profitability.

To address anti-competitive behaviour, the government is considering a range of options, including working with the value chain to monitor any anti-competitive behaviour or systematic issues should they arise. The grain value chain will also continue to have access to long-standing tools, including the Competition Act and the Competition Bureau.

The marketing freedom for grain farmers act will not cause a change to the current state of access to producer cars.

The right to producer cars is set out in the Canada Grain Act and the Canadian Grain Commission allocates these cars to producers. We will continue to protect this access.

It is important to point out that most producers have used producer cars but only if the returns are higher than if they were to deliver directly to a primary elevator. Currently, only about 4% of western Canadian grain shipments are shipped by producer cars.

Short line railways and inland terminals will continue to play an important role in getting western Canadian wheat and barley to both domestic and international markets.

Members of the House will be interested to know that when the government's response to the rail freight service review is fully implemented, it will give producer car shippers the ability to establish service agreements with the railways, promoting more predictable and efficient service.

As we announced in March 2011, the government is implementing its response to the rail freight service review with a view to improving the performance of the entire rail supply chain.

We will initiate a quick facilitation process with shippers, railways and other stakeholders to negotiate a template service agreement and streamlined commercial dispute resolution process. We have recently appointed a facilitator to lead this important work.

As well, we will table a bill to give shippers the right to a service agreement to support the commercial measures.

Our government will also establish a commodity supply chain table to address logistical concerns and develop performance metrics to improve competitiveness. We will do this by involving supply chain partners that ship commodities by rail.

In collaboration with Agriculture and Agri-Food Canada, Transport Canada will lead an indepth analysis of the grain supply chain to focus on issues that affect that sector and help identify potential solutions.

We have announced a crop logistics supply chain. This will be a forum for the agricultural value chain to consider the performance of the supply chain for all crops and to exchange views and information on issues arising from the transition to marketing freedom.

We will leave no stone unturned in our efforts to ensure an orderly transition to a system that will allow western Canadian wheat and barley growers to market their wheat in the way they think is best.

Sylvain Charlebois said, "The end of the monopoly will benefit the Western agricultural economy as a whole". Our government agrees. The end of the monopoly will benefit the western agricultural economy as a whole.

Our government is committed to delivering on our longtime promise to give western Canadian grain farmers the marketing freedom they deserve.

Last week a gentleman by the name of William Cooper attended a formal agriculture committee hearing held in my riding of Blackstrap. The topic was "How young farmers cope". Witnesses had to be under 40 years of age. The observation that William Cooper made was, "Every witness under 40 year noted that 'They would not include CWB grains in their 2010 rotations because there was no way to manage risk'. They were talking over \$200.00 per acre input costs at seeding time and had to have contracts on a portion of their acres, which they could achieve by seeding canola, oats, peas, or feed grains contracted with Pound-Maker feedlot or ethanol plant. Their bankers understand contracts but they do not understand the CWB pool return outlook".

The other interesting item was that the Canadian Wheat Board monopoly discourages value-added investments. Stats Canada reported—

• (1710)

**The Deputy Speaker:** Order. The hon. minister of state's time has lapsed. Perhaps she will be able to add remarks during questions and comments. Questions and comments.

**Mr. Dennis Bevington (Western Arctic, NDP):** Madam Speaker, I want to thank my colleague for her speech on this very difficult subject.

The minister of state did talk a lot about the transportation system. Working on the transportation committee in the past and talking with the various producers in western Canada, it became clear that size matters with the railways, that the opportunities to move grain, or other agricultural products, effectively and efficiently in western Canada are linked directly to volume. The opportunities for small producers have turned out to be not so good

The minister of state talked about all the wonderful things that the government is going to try to do to improve the rail service agreements. How can she guarantee success in this regard for those small farmers who are going to be on their own?

**Hon. Lynne Yelich:** Madam Speaker, that was addressed in my speech, about the producer cars and such.

### *Points of Order*

If the member's concern is about the farmers selling their grain, like ours is, there are many farmers who will find their markets. One of the areas that I was starting to talk about was the value-added investments.

For the first time in western Canada, a pasta plant—

**The Deputy Speaker:** Order, please. Could I have some quiet while the minister of state is speaking. I would ask members to please take their conversations outside to the lobby, if they wish to continue them.

The hon. Minister of State for Western Economic Diversification.

**Hon. Lynne Yelich:** Madam Speaker, I want to thank the member for his concern. I did address the rail, as I said.

The concerns of farmers being able to sell their grain and getting their price will all work well when there are value-added investments, such as the one that was just announced in Regina, all private money building a pasta plant.

**Hon. Ralph Goodale (Wascana, Lib.):** Madam Speaker, the minister in her remarks spoke a bit about value-added processing.

I wonder if she could explain to the House what several value-added processors or proposed processors mean when they say that they must negotiate grain prices directly with farmers rather than through the Canadian Wheat Board, because they, the processors, need to get lower grain input costs in order for their operations to be profitable?

What exactly do they mean by the importance of negotiating directly with producers to get a lower price for grain? That is good from the processors' point of view, not so good from the farmers' point of view.

• (1715)

**Hon. Lynne Yelich:** Madam Speaker, I spoke about that.

Pound-Maker was one of the companies. I know that member knows who Pound-Maker is. That is one that will be taking advantage of the cheaper grain. I would assume it is going to be better for the farmers because they do not have to pay for the freight to go all the way to the ports now. The farmers will be able to deal directly with the processor.

I know that farmers in my area will be paying \$1,400 to \$2,000 in freight rates to get their product to port. Sometimes those costs escalate and also are rejected.

It is a very important part of the whole marketing freedom process. Farmers will be able to sell directly and negotiate their price, not be price takers as they have been under the monopoly of the Canadian Wheat Board. Farmers will have that freedom. They will get their dollars.

I am surprised that that member would ask this question because he is from Saskatchewan. He knows, more than anything in the world, what it means to Saskatchewan farmers. Of course, he must not represent farmers when he is in this particular Chamber.



### *Points of Order*

**Ms. Niki Ashton (Churchill, NDP):** Madam Speaker, today and the few days that we have spent talking about Bill C-18, I believe will be remembered as the days where the Conservative government stood up for big agri and against the wishes of so many farmers across western Canada. These farmers have asked for the most fundamental of actions: the right to vote. In fact, it is not only farmers who have asked for it, it is in section 47.1 of the Canadian Wheat Board Act.

Many government members come from a part of the country where so many people depend on agriculture, have been part of building the Canadian Wheat Board and have benefited from the work of the Canadian Wheat Board. Why is the government refusing to listen, in many cases, to its own constituents?

Is it because a plebiscite that came out at the end of the summer indicated that 62% of western grain growers actually wanted the Canadian Wheat Board to exist? Is it because the Conservatives are afraid of opposition from people on the ground? Is that why they rammed through legislation, not just here in the House, but also through the technical committee?

Why is the government so afraid to listen to the voices of the people across western Canada? Why is it so afraid to listen to its own constituents, some of whom have spent days on Parliament Hill asking the government to take some time, to see the analysis and to be heard on the insecurities they have about something as fundamental as their livelihood?

When asked about the analysis, researchers indicated that it was not there, that there was no plan. Many of the people I represent in Churchill are extremely unsure about their job security. They talk about having to leave and uproot their families. They know that as the last shipment of grain goes through, their livelihoods are immediately at risk. They have not seen a plan. Officials at all government levels have indicated a similar position and people are left in chaos and with a great deal of uncertainty as they go forward.

The same is applicable to farmers across Manitoba, Saskatchewan and Alberta. So many have contacted not just members on our side of the House, the NDP, but members on the other side of the House as well. Many were told by their own members of Parliament that they were too busy to meet with them and many did not get their calls and letters answered.

At the most fundamental level, those members of Parliament were sent here to represent the interests of their constituents. However, today, in voting to finish debate so quickly on Bill C-18, the theme has been to stand against farmers, to stand against the recognition that we need to hear from the very people who are most affected by the legislation. People have said that there is no hurry and they want to take the time.

We have heard the minister talk about goals and deadlines. Whose goals and deadlines are these? They echo the messages from Cargill and Viterra, the largest agribusiness corporations here in Canada and around the world. Those are the deadlines that the government is working on. It is not listening to the voices of farmers and western Canadians.

There are so many questions that must be asked as the government rams through this legislation.

I asked a question in committee and I will ask it again today. What about the contingency fund that is made up of money from farmers? We have heard that the government will take this money and hand it to the institution it is creating, instead of giving it back to the very farmers to whom it belongs. Yet more questions, but no answers. Will the money go as severance or will it go toward the parcelling off that would inevitably take place by large agribusiness corporations?

There are so many questions, but the lack of answers indicate that farmers are not being heard. The money that they have invested year after year will not be given back to them.

● (1720)

What does this legislation mean to so much of what the agricultural economy involves in western Canada, to the Port of Churchill, through which so many tonnes of Canadian wheat has gone around the world; to short line rail that is not just critical for the movement of grain, but also the connection that communities need across rural western Canada; the future of inland terminals and the kind of infrastructure that dots the prairie landscape; and the future of so much infrastructure that is not just about livelihood, but is essentially about livelihood, but it is also about the future of rural families and rural communities across western Canada?

The government, in acting the way it has on Bill C-18, in its vigour to dismantle an institution that has shaped the economy and the social landscape of prairie Canada, in showing such contempt for the important institution of the Wheat Board, it is showing contempt for western Canadians and their voices.

At what point will much of Canada also realize that this is about all of us. We are seeing this increasingly happen as the government moves time allocation on issue after issue to which it feels many Canadians are opposed.

As Canadians across the country see the kind of contempt that the government has shown to the collective work that farmers have done through the Wheat Board, they know that tomorrow this might also mean other marketing boards, that the day after that it might also be the future of our public broadcaster, the CBC, and that the day after that it might also be the future of an institution that is so critical to us, medicare.

Why does the government not believe that Canadians ought to come together to make the kind of decisions that matter to us in terms of our livelihood, the future of our families and the future of our communities? What do the Conservatives have against listening to the very people they claim to represent, western Canadians? Why do they not allow time in this debate? Why do they not allow a vote for western farmers? Why do they not allow for the proper research to take place as to what would happen once the Wheat Board is dismantled?

Why do the Conservatives not answer the questions as to how our fate will be so similar to that of Australia where month after month the livelihood of farmers has suffered as a result of the loss of the Australian wheat board, and where their once proud brand has taken a beating because it is now no longer an Australian brand, but belongs to Cargill and other global corporations that have a piece of the pie?

Is that where the government wants to take our country, to give the hard work of farmers, that important question of who produces our food, that has allowed it to be the best wheat in the world and to throw it away and hand it over to corporations such as Cargill that will not be reinvesting in our communities the way farmers who have been involved in running the Wheat Board have, that will not be investing in the Port of Churchill and that will not be investing in short line rail and the kind of infrastructure that our rural communities need?

Even in our urban centres we know that losing the Wheat Board means real loss, for example in Winnipeg and the loss of jobs that will occur there once the Wheat Board is lost.

There are so many questions that remain unanswered but there is one conclusion. The Conservative Government of Canada, which claims to speak for western Canadians, has, today, failed them. We need a government in this country that represents all regions of Canada.

● (1725)

**Hon. Rob Merrifield (Yellowhead, CPC):** Madam Speaker, I listened to the comments of my colleague and absolutely nothing could be further from the truth.

She asked why we were not listening to farmers. We are absolutely listening to farmers. We are not throwing farmers in jail anymore the way that previous governments have because they took their grain, their product, and tried to get the best value they possibly could for it.

In recent years, since that incident took place, farmers have been speaking with their seed drills every spring. They seed a crop for which they get world price. That world price is paid for Canola, mainly on the prairies, which has now outstripped wheat as the number one commodity of choice. Why? It is because they are getting world price for it. Why? It is because it is outside the Wheat Board's mandate.

The study, on which we heard testimony in committee, and my hon. colleague was there and heard it, too, showed that farmers today are subsidizing the Wheat Board and the single desk by somewhere between \$400 million to \$600 million a year.

My hon. colleague asked why we as government are moving this along. It is because farmers need that freedom of choice.

How can my hon. colleague stand in her place and advocate for farmers when she really does not have many farmers in her riding, not like the rest of the prairies. She should respect what happened on May 2, which is—

**The Deputy Speaker:** Order, please. I would like to give the hon. member time to respond and many other members want to ask questions.

**Ms. Niki Ashton:** Madam Speaker, given the discussions we have had at committee, I would ask the member and his colleagues why they are so afraid to give farmers the chance to vote. Fundamentally, why will the government not follow legislation and allow western Canadian producers to have a say in the future of the institution that they built? It is a simple question. Not only is there a failure to answer, but instead we see the ramming through of legislation in an

unprecedented manner. The altering of the prairie economy fundamentally tied in history to agriculture, is being changed in a matter of weeks without proper research and without listening to the voices of western Canadian farmers, some of whom the member represents, as do I. I also represent the people of Churchill.

As a proud western Canadian, I want to see a government that will actually listen to the voices—

**The Deputy Speaker:** Order, please.

Questions and comments, the hon. member for Malpeque.

**Hon. Wayne Easter (Malpeque, Lib.):** Madam Speaker, I enjoyed the remarks of the member for Churchill. Between the member for Churchill and the member for Yellowhead, it is the member for Yellowhead who is absolutely wrong.

One of the key points the member raised is that there are so many questions that remain unanswered. There are a lot of unanswered questions. I have here the remarks from the Australian wheat board which was somewhat similar to Canada's at one point in time but is now gone. Jock Munro, a farmer, said:

We estimate we have lost \$4 billion as growers since the wheat industry was deregulated three years ago.

The loser is definitely the Australian wheat grower, and the winners are the huge companies that control the logistics chain and are end users themselves.

Why has the government not abided by the vote? Why has it not held hearings? Why have we not investigated the Australian situation, which was similar to ours, before we go down this road that could be an absolute disaster for western farmers?

● (1730)

**Ms. Niki Ashton:** Madam Speaker, I thank the member for Malpeque for once again raising the example of the Australian wheat board, which the government has failed to look at in terms of where the fate lies for western Canadian growers as the Wheat Board is dismantled and as big agribusiness takes over. Farmers lose out. Farmers' families lose out. Rural communities lose out. Many communities the Conservatives claim to represent will see a negative impact as a result.

To add insult to injury, the Conservatives will not even do the due diligence of allowing farmers to have a say in the future of an institution that they created, not even the decency to allow farmers' voices to be heard.

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Madam Speaker, it is a pleasure for me to rise today to support people within my constituency, people who are affected by things. It is not often we can say that we have somebody directly affected by something that is talked about by opposition members who really do not represent the people they pretend to represent. We recently heard a member from the Liberal Party, who has no effect whatsoever on his riding because he is from Prince Edward Island. It is unfair to put onuses on one part of the country and have the other part of the country not required to follow that law, as is the case in this instance.

However, I want to talk about the future, my future, my children's future and Canada's future, which is so important. I do not want to talk the past, as the previous speaker did.



*Points of Order*

Our government's top priority is clearly the economy. We have one of the best performing economies in the world. The agriculture industry plays a very vital role in that. We recognize that on this side of the House. That is why we want to, and need to, give farmers freedom, freedom to decide what to grow and freedom to decide to whom to sell it. That is what we are doing with this legislation.

We believe all Canadian farmers should be able to position their businesses to capture the marketing opportunities that are available to them. This is clearly available to almost all types of businesses in our country, whether it be a fast food restaurant or some type of service. Canadians can decide who to sell to and from whom to buy the product. That is not the case in this instance.

This debate is so often cast as a generational issue, with the older farmers wanting the security of the Wheat Board and the younger farmers eager to harness new technology and go it alone. While there is definitely some element of that, there are just as many farmers at retirement age who see the open market for wheat and barley as a new door of opportunity, an opportunity that was not given to their fathers. This will keep the next generation on the farm.

As most Canadians know, farms are closing their doors because they cannot be competitive on the international stage. This bill, this opportunity to give marketing freedom, is the opportunity that farmers have wanted in western Canada for decades.

According to the 2011 CWB producers' survey, "76 per cent of the younger generation of farmers surveyed want something other than the status quo, a monopoly". That is from the *Winnipeg Free Press*, dated July 29.

It is clear that young farmers want the opportunities that were denied to their fathers. I have heard across my constituency, because I actually represent farmers who are affected by this legislation, that they want marketing freedom. These young, business-orientated entrepreneurs are the future of agriculture. That is why I want to talk about the future. Young farmers are ambitious, they successfully market their other crops across the world and they want this chance today. They need new solutions, not old rhetoric from the opposition and not restrictions, not the status quo. They want new opportunities.

There is no doubt that agriculture faces a major succession challenge over the coming decade, and I have heard it clearly. I have heard from farmers that they have to decide whether they can afford the gas to go to church on Sunday rather than pay their hydro bill. On the campaign trail in northern Alberta, they clearly indicated to me that they wanted choice, that they wanted marketing freedom.

According to the last agricultural census, the average age of farmers in Canada is 52. I come from a community where the average age is 29. We do not have a lot of seniors in Fort McMurray. If the average age is 52, then we have a large dilemma coming, especially because Canadian farmers feed the world. More than 40% of those farmers surveyed are over 54, while less than 10% are under 35. Those are astonishing statistics. Clearly, our government is taking action because we see the future and the future is not what is current.

Despite all of these challenges, however, Canada must capitalize on the entrepreneurial spirit of these young farmers. They are entering the sector with their innovative ideas and their new ways of

doing business, and they have clearly shown this. Our government is absolutely committed to helping these young people take over the farm.

• (1735)

Opposition members ask us why we are limiting debate. It is because we have been talking the same language for decades on this side of the House. Clearly, our young farmers want choices. They want to have the opportunity that other farmers have, whether it be in Ontario, southern British Columbia or P.E.I. They want the choices that are given to other Canadians across our country. They have been denied those choices for many years.

The Minister of Agriculture said, "handing over the farm must not be seen as a form of child abuse". That sounds pretty draconian, but the truth is many of us in the west, many of the farmers in the west especially, feel this has been the situation. We cannot tolerate that on this side of the House.

As a farmer from Manitoba recently wrote to the hon. Minister of Agriculture, "Our twenty-two year old son is more encouraged than ever to be part of agriculture, thanks to the actions and the proposed legislation of [this] government".

No matter what age, western grain farmers want the same marketing freedom and opportunities as other farmers in Canada and around the world. Clearly, if our farmers have those opportunities, they will not just compete, they will succeed. They will do better than their competition because we have a competitive advantage in our country, not just in our vast farmland but also in the people who run those farms, the younger people, the next generation of farmers. They want to be able to position their businesses to capture the marketing opportunities that are open to them. Our government, our Prime Minister and our minister will clearly make sure that happens.

One key way we are opening doors for our young people is through this legislation. It is interesting that in a university class of future farmers in Saskatchewan not just 60% but almost all of those young farmers favoured moving away from the single desk to give them choice. Choice is opportunity and they want that opportunity. Why not? Young farmers do not need single desks; they need many options, just like other entrepreneurs have.

This bill, which I am so proud of and which was one of the pillars that I ran on in my very first election in 2004, will give them that opportunity. Marketing freedom will allow grain growers to market based on what is best for their own businesses and help them make that decision.

Brian Otto, the president of the Western Barley Growers Association, said:

With a commercial market place, young farmers will have the tools to manage their risk and create wealth, for themselves and for their communities. We will finally have an environment that will attract young people back to the farm.

I hear some talk from a member from P.E.I. on the other side who has constituents who are not affected by this legislation. Clearly, he is not listening to what my farmers tell me and those farmers represented across this caucus.

We have already seen some encouraging signs, not just signs from this government. We have seen an overview by Agriculture and Agri-food Canada which indicates a younger generation of farmers is on the horizon and that younger generation sees clearly the actions of this government and are very pleased.

The overview reports that close to 8% of farmers are young farmer enterprises and they actually perform better than other farmers in Canada. That is amazing, but it is a good hope for the future. These are managed solely by farmers between the ages of 18 and 39. They tend to be well-distributed across farm types, size and province and because they have more opportunities, they are likely to have higher profit margins to share with their families, a higher share of on-farm family income and higher gross farm revenues. Young farmers are our future in more ways than one.

As well, a survey by Farm Credit Canada found that young producers, age 40 and under, felt their farm or business was better off today compared to five years ago. Over 80% were optimistic about the future success of their farm or business over the next five years.

Creating a successful farming operation is more than just the Wheat Board and more than just control mechanisms by outdated opposition members. It is clearly about planning, expanding, diversifying and meeting the needs of a community in the world today for the future of tomorrow.

• (1740)

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, as I have said in the House before, my grandfather farmed for 36 years on the border of Alberta and Saskatchewan. He was a lifelong Conservative, and a proud one, but he also was a lifelong supporter of the Wheat Board.

One of the prime differences between the two sides of the House is over the question of whether farmers support the government's action. The government has pointed to the results of the May 2 election as somehow being a mandate given to it to dispense with the Wheat Board. There are farmers like my grandfather who may vote Conservative for certain reasons, but want like heck to keep the Wheat Board.

There is an easy way to resolve this. If the government thinks it has the support of the farmers of the country, it should put it to a vote by the farmers of western Canada. I will respect the result of that vote in the House. We will know one way or the other.

### *Points of Order*

This is a simple question. Will the government let the farmers decide? If you are so confident that you have the support of the farmers of this country, put your money where your mouth is, let them vote and let us will live by the result. That is what you do in a democracy, is it not?

**The Acting Speaker (Mr. Bruce Stanton):** I would remind hon. members to direct their comments and questions through the Chair.

The hon. member for Fort McMurray—Athabasca.

**Mr. Brian Jean:** Mr. Speaker, there was a vote. It is called a majority. The majority of Canadians said that they wanted us to decide what would happen with farmers and the Canadian Wheat Board. I will not interfere in the business of the member's constituents and I would prefer he did not interfere in the business of my constituents.

Do members know how many phone calls and letters I have received in the last six months asking to keep the Wheat Board? Zero. I represent 30% of the geographic area of Alberta and I have received zero letters and phone calls. Maybe they will start because people will hear me today, but I doubt it. This is clearly before the people. They want the Canadian Wheat Board to offer choices and we will offer that freedom from the Canadian Wheat Board's monopoly.

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, the member for Fort McMurray—Athabasca loves to attack members who are not from the Wheat Board area, but I have spent many years in the Wheat Board area and I hear from wheat growers every day.

The key point is this. He said that other Canadians were not under the Canadian Wheat Board. However, with other marketing institutions, whether it is in Quebec, the Ontario Wheat Producers' Marketing Board, whatever it may be, those people were given a vote on their marketing institutions. Canadian Wheat Board producers have in legislation, under section 47.1, the right to that vote and the government has denied them that right.

Why will it not allow a vote of western producers? Is it because it knows it will lose and it wants to steamroll over them, just like a dictatorship? Is that what is wrong, that it does not want to admit in the House—

**The Acting Speaker (Mr. Bruce Stanton):** Order, please. We are getting short on time and the hon. member needs time to respond.

The hon. member for Fort McMurray—Athabasca.



*Points of Order*

**Mr. Brian Jean:** Mr. Speaker, I know the member wants to believe he is right. I know that because he is a good member and he has been around here for a long time. I do not want to decide on where growers in P.E.I. sell their products, whether it be potatoes or wheat. He referred to an Ontario wheat board. Farmers have a choice as to whether to join that wheat board. That is exactly what we will offer to farmers in western Canada. We will offer them the choice of a strong Canadian Wheat Board or other strong options.

We are interested in one thing. We are interested in what is best for them as they tell us. They have told me clearly. That was one of the top 10 priorities I ran on and they told me it was a priority.

● (1745)

[Translation]

**The Acting Speaker (Mr. Bruce Stanton):** It being 5:45 p.m., pursuant to order made earlier today it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the report stage of the bill now before the House.

[English]

The question is on Motion No. 1. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on Motion No. 1 stands deferred.

The next question is on Motion No. 2. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on Motion No. 2 stands deferred.

The next question is on Motion No. 3. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on Motion No. 3 stands deferred.

The next question is on Motion No. 4. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on Motion No. 4 stands deferred.

The next question is on Motion No. 5. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

*Points of Order*

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on Motion No. 5 stands deferred.

The next question is on Motion No. 6. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the yeas have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on Motion No. 6 stands deferred.

I shall now propose Motions Nos. 7 to 11 in Group No. 2 to the House.

• (1755)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP) moved:**

Motion No. 7

That Bill C-18, in Clause 14, be amended by replacing line 36 on page 7 with the following:

“9. (1) The board consists of fifteen directors,”

Motion No. 8

That Bill C-18, in Clause 14, be amended by replacing lines 38 to 42 on page 7 with the following:

“(2) All the directors are elected by the producers in accordance with the regulations. The directors must designate, also in accordance with those regulations, a president from among themselves.”

**Mr. Pat Martin (Winnipeg Centre, NDP) moved:**

Motion No. 9

That Bill C-18 be amended by deleting Clause 45.

Motion No. 10

That Bill C-18 be amended by deleting Clause 46.

Motion No. 11

That Bill C-18 be amended by deleting Clause 55.

**The Acting Speaker (Mr. Bruce Stanton):** The question is on Motion No. 7.

Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on Motion No. 7 stands deferred.

The next question is on Motion No. 8.

Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on Motion No. 8 stands deferred.

The next question is on Motion No. 9.

Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on Motion No. 9 stands deferred.

The next question is on Motion No. 10.

Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.



*Points of Order*

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on Motion No. 10 stands deferred.

The next question is on Motion No. 11.

Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on Motion No. 11 stands deferred.

The House will now proceed to the taking of the deferred recorded divisions at report stage of the bill.

Call in the members.

• (1825)

[Translation]

**The Speaker:** The question is on Motion No. 1.

• (1835)

[English]

(The House divided on Motion No. 1, which was negatived on the following division:)

(Division No. 64)

## YEAS

## Members

Allen (Welland)  
Ashton  
Aubin  
Bélanger  
Bennett  
Bevington

Andrews  
Atamanenko  
Ayala  
Bellavance  
Benskin  
Blanchette

Blanchette-Lamothe  
Borg  
Boutin-Sweet  
Brisson  
Byrne  
Casey  
Charlton  
Choquette  
Cleary  
Comartin  
Cotler  
Cuzner  
Davies (Vancouver East)  
Dion  
Donnelly  
Dubé  
Dusseau  
Eyking  
Fortin  
Fry  
Garrison  
Genest-Jourdain  
Godin  
Gravelle  
Harris (Scarborough Southwest)  
Ilsu  
Jacob  
Kellway  
Larose  
Laverdière  
LeBlanc (LaSalle—Émard)  
Liu  
Mai  
Martin  
Mathysen  
McCallum  
Michaud  
Morin (Notre-Dame-de-Grâce—Lachine)  
Morin (Saint-Hyacinthe—Bagot)  
Murray  
Nicholls  
Pacetti  
Patri  
Perrault  
Plamondon  
Rafferty  
Raynault  
Rousseau  
Savie  
Sellah  
sor)  
Sims (Newton—North Delta)  
St-Denis  
Stoffer  
Thibeault  
Tremblay  
Turnel

Boivin  
Boulerice  
Brahmi  
Brosseau  
Caron  
Cash  
Chicoine  
Chow  
Coderre  
Côté  
Crowder  
Davies (Vancouver Kingsway)  
Day  
Dionne Labelle  
Doré Lefebvre  
Duncan (Edmonton—Strathcona)  
Easter  
Foote  
Freeman  
Garneau  
Genest  
Giguère  
Goodale  
Grogue  
Harris (St. John's East)  
Hughes  
Julian  
Lapointe  
Latendresse  
LeBlanc (Beauséjour)  
Leslie  
MacAulay  
Marston  
Masse  
May  
McKay (Scarborough—Guildwood)  
Moore (Abitibi—Témiscamingue)  
Morin (Laurentides—Labelle)  
Mourani  
Nantel  
Nunez-Melo  
Papillon  
Péclot  
Pilon  
Quach  
Ravignat  
Regan  
Sandhu  
Scarpaleggia  
Simms (Bonavista—Gander—Grand Falls—Wind-  
Sitsabaiesan  
Stewart  
Sullivan  
Toone  
Trudeau  
Valeriote — 124

## NAYS

## Members

Adams  
Aglukkaq  
Albrecht  
Allen (Tobique—Mactaquac)  
Ambler  
Anders  
Armstrong  
Aspin  
Bateman  
Bernier  
Blaney  
Braid  
Brown (Leeds—Grenville)  
Brown (Barrie)  
Butt  
Calkins  
Carrie  
Chong  
Clement  
Davidson  
Del Mastro  
Dreeshen

Ablonczy  
Adler  
Albas  
Alexander  
Allison  
Ambrose  
Anderson  
Ashfield  
Baird  
Benoit  
Bezan  
Boughen  
Breitkreuz  
Brown (Newmarket—Aurora)  
Bruinooge  
Calandra  
Cannan  
Chisu  
Clarke  
Daniel  
Dechert  
Devolin

Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Galipeau	Gallant
Glover	Goguen
Goldring	Goodyear
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Hoepfner	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Leef
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	O'Neill Gordon
Obhrai	Oda
Oliver	Opitz
Paradis	Payne
Penashue	Poilievre
Preston	Raitt
Rajotte	Rathgeber
Reid	Rempel
Richards	Richardson
Rickford	Ritz
Saxton	Schellenberger
Seckack	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trottier
Truppe	Tweed
Uppal	Valcourt
Van Kesteren	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Sky Country)	
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Yelich
Young (Oakville)	Young (Vancouver South)
Zimmer— 159	

PAIRED

Nil

**The Speaker:** I declare Motion No. 1 defeated.

The next question is on Motion No. 2.

**Hon. Gordon O'Connor:** Mr. Speaker, if you seek it, I believe you will find agreement to apply the results on the previous motion to the current motion, with the Conservatives voting no.

**The Speaker:** Is there unanimous consent to proceed in this fashion?

**Some hon. members:** Agreed.

**Ms. Chris Charlton:** Mr. Speaker, NDP members will be voting yes.

**Ms. Judy Foote:** Mr. Speaker, the Liberal members will be voting yes.

Points of Order

[Translation]

**Mr. Louis Plamondon:** Mr. Speaker, the members of the Bloc will vote yes.

[English]

**Ms. Elizabeth May:** Mr. Speaker, the Green Party supports our own amendments. We vote yes.

(The House divided on Motion No. 2, which was negated on the following division:)

(Division No. 65)

YEAS

Members

Allen (Welland)	Andrews
Ashton	Atamanenko
Aubin	Ayala
Bélanger	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Choquette	Chow
Cleary	Coderre
Comartin	Côté
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Edmonton—Strathcona)
Dussault	Easter
Eyking	Foote
Fortin	Freeman
Fry	Gameau
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Grogulic
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Jacob	Julian
Kellway	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McCallum	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Mourani
Murray	Nantel
Nicholls	Nunez-Melo
Pacetti	Papillon
Patry	Péclet
Perreault	Pilon
Plamondon	Quach
Rafferty	Ravignat
Raynault	Regan
Rousseau	Sandhu
Savoie	Scarpaleggia
Sellah	Simms (Bonaville—Gander—Grand Falls—Wind-
Sims (Newton—North Delta)	
St-Denis	Sitsabaiesan
Stoffer	Stewart
Thibeault	Sullivan
Tremblay	Toone
Turnel	Trudeau
	Valeriote— 124



*Points of Order***NAYS**

## Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Bateman
Benoit	Bernier
Bezan	Blaney
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carrie
Chisu	Chong
Clarke	Clement
Daniel	Davidson
Dechert	Del Mastro
Devolin	Dreesen
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Galipeau	Gallant
Glover	Goguen
Goldring	Goodyear
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Hoepfner	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Lecl
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	O'Neill Gordon
Obhrai	Oda
Oliver	Opitz
Paradis	Payne
Penashue	Poilievre
Preston	Raït
Rajotte	Rathgeber
Reid	Rempel
Richards	Richardson
Rickford	Ritz
Saxton	Schellenberger
Seebach	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trotter
Truppe	Tweed
Uppal	Valcourt
Van Kesteren	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Sky Country)	
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Yelich

Young (Oakville)  
Zimmer — 159

Young (Vancouver South)

**PAIRED**

Nil

**The Speaker:** I declare Motion No. 2 defeated.

[Translation]

The question is on Motion No. 3.

[English]

**Hon. Gordon O'Connor:** Mr. Speaker, if you seek it I believe you would find agreement to apply the result of the vote on the previous motion to the current motion, with the Conservatives voting no.

**The Speaker:** Is there unanimous consent to proceed in this fashion?

**Some hon. members:** Agreed.

**Ms. Chris Charlton:** Mr. Speaker, the NDP votes yes.

**Ms. Judy Foote:** Mr. Speaker, the Liberals vote yes.

[Translation]

**Mr. Louis Plamondon:** Mr. Speaker, the members of the Bloc will vote yes.

[English]

**Ms. Elizabeth May:** Yes, Mr. Speaker.

(The House divided on Motion No. 3, which was negated on the following division:)

(Division No. 66)

**YEAS**

## Members

Allen (Welland)	Andrews
Ashton	Atamanenko
Aubin	Ayala
Bélanger	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Choquette	Chow
Cleary	Coderre
Comartin	Côté
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Edmonton—Strathcona)
Dussault	Easter
Eyking	Foote
Fortin	Freeman
Fry	Garneau
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Grogue
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Jacob	Julian
Kellyway	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)

LeBlanc (LaSalle—Émard)  
 Liu  
 Mai  
 Martin  
 Mathyszen  
 McCallum  
 Michaud  
 Morin (Notre-Dame-de-Grâce—Lachine)  
 Morin (Saint-Hyacinthe—Bagot)  
 Murray  
 Nicholls  
 Pacetti  
 Patry  
 Perreault  
 Plamondon  
 Rafferty  
 Raynault  
 Rousseau  
 Savoie  
 Sellah  
 (sor)  
 Sims (Newton—North Delta)  
 St-Denis  
 Stoffer  
 Thibeault  
 Tremblay  
 Turnel

Leslie  
 MacAulay  
 Marston  
 Masse  
 May  
 McKay (Scarborough—Guildwood)  
 Moore (Abitibi—Témiscamingue)  
 Morin (Laurentides—Labelle)  
 Mourani  
 Nantel  
 Nunez-Melo  
 Papillon  
 Péclet  
 Pilon  
 Quach  
 Ravnignat  
 Regan  
 Sandhu  
 Scarpaleggia  
 Simms (Bonavista—Gander—Grand Falls—Wind-  
 sor)  
 Sitsabaicsan  
 Stewart  
 Sullivan  
 Toone  
 Trudeau  
 Valeriote — 124

NAYS

Members

Ablonezy  
 Adler  
 Albas  
 Alexander  
 Allison  
 Ambrose  
 Anderson  
 Ashfield  
 Baird  
 Benoit  
 Bezan  
 Boughen  
 Breitzkreuz  
 Brown (Newmarket—Aurora)  
 Bruinooge  
 Calandra  
 Cannan  
 Chisu  
 Clarke  
 Daniel  
 Dechert  
 Devolin  
 Dykstra  
 Fast  
 Finley (Haldimand—Norfolk)  
 Galipeau  
 Glover  
 Goldring  
 Gosal  
 Grewal  
 Harris (Cariboo—Prince George)  
 Hayes  
 Hillyer  
 Hoepfner  
 James  
 Kamp (Pitt Meadows—Maple Ridge—Mission)  
 Kent  
 Komarnicki  
 Lake  
 Lebel  
 Leitch  
 Leung  
 Lobb  
 Lunney  
 MacKenzie  
 McColeman  
 Menegakis  
 Merrifield  
 Moore (Port Moody—Westwood—Port Coquitlam)  
 Moore (Fundy Royal)  
 Nicholson  
 O'Connor

Adams  
 Aglukkaq  
 Albrecht  
 Allen (Tobique—Mactaquac)  
 Ambler  
 Anders  
 Armstrong  
 Aspin  
 Bateman  
 Bernier  
 Blaney  
 Braid  
 Brown (Leeds—Grenville)  
 Brown (Barrie)  
 Butt  
 Calkins  
 Carrie  
 Chong  
 Clement  
 Davidson  
 Del Mastro  
 Dreshen  
 Fantino  
 Findlay (Delta—Richmond East)  
 Flaherty  
 Gallant  
 Goguen  
 Goodyear  
 Gourde  
 Harper  
 Hawn  
 Hiebert  
 Hoback  
 Holder  
 Jean  
 Keddy (South Shore—St. Margaret's)  
 Kerr  
 Kramp (Prince Edward—Hastings)  
 Lauzon  
 Leef  
 Lemieux  
 Lizon  
 Lukiwski  
 MacKay (Central Nova)  
 Mayes  
 McLeod  
 Menzies  
 Miller  
 Norlock  
 O'Neill Gordon

Obhrai  
 Oliver  
 Paradis  
 Penashue  
 Preston  
 Rajotte  
 Reid  
 Richards  
 Rickford  
 Saxton  
 Seeback  
 Shipley  
 Smith  
 Sorenson  
 Storseth  
 Sweet  
 Toet  
 Trost  
 Truppe  
 Uppal  
 Van Kesteren  
 Vellacott  
 Warawa  
 Watson  
 Sky Country)  
 Weston (Saint John)  
 Williamson  
 Woodworth  
 Young (Oakville)  
 Zimmer — 159

Points of Order

Oda  
 Opitz  
 Payne  
 Poilievre  
 Raitt  
 Rathgeber  
 Rempel  
 Richardson  
 Ritz  
 Schellenberger  
 Shea  
 Shory  
 Sopuck  
 Stanton  
 Strahl  
 Tilson  
 Toews  
 Trotter  
 Tweed  
 Valcourt  
 Van Loan  
 Wallace  
 Warkentin  
 Weston (West Vancouver—Sunshine Coast—Sea to  
 Sky)  
 Wilks  
 Wong  
 Yelich  
 Young (Vancouver South)

PAIRED

Nil

**The Speaker:** I declare the motion defeated.  
 The next question is on Motion No. 4.

**Hon. Gordon O'Connor:** Mr. Speaker, if you seek it I believe you would find agreement to apply the result of the vote on the previous motion to the current motion, with the Conservatives voting no.

**The Speaker:** Is there unanimous consent to proceed in this fashion?

**Some hon. members:** Agreed.

[Translation]

**Ms. Chris Charlton:** Mr. Speaker, the NDP will be voting yes.

[English]

**Ms. Judy Foote:** Mr. Speaker, Liberals will be voting yes.

[Translation]

**Mr. Louis Plamondon:** Mr. Speaker, the members of the Bloc Québécois vote yes.

**Ms. Elizabeth May:** Mr. Speaker, the Green Party votes yes.

[English]

(The House divided on Motion No. 4, which was negated on the following division:)

(Division No. 67)

YEAS

Members

Allen (Welland)  
 Ashton  
 Aubin  
 Bélanger  
 Bennett  
 Bevington  
 Blanchette-Lamothe  
 Borg  
 Boutin-Sweet

Andrews  
 Atamanenko  
 Ayala  
 Bellavance  
 Benskin  
 Blanchette  
 Boivin  
 Boulter  
 Brahm



*Points of Order*

Brisson	Brosseau	Galipeau	Gallant
Byrne	Caron	Glover	Goguen
Casey	Cash	Goldring	Goodyear
Charlton	Chicoine	Gosal	Gourde
Choquette	Chow	Grewal	Harper
Cleary	Coderre	Harris (Cariboo—Prince George)	Hawn
Comartin	Côté	Hayes	Hiebert
Cotler	Crowder	Hillyer	Hoback
Cuzner	Davies (Vancouver Kingsway)	Hoepfner	Holder
Davies (Vancouver East)	Day	James	Jean
Dion	Dionne L'abbe	Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Donnelly	Doré Lefebvre	Kent	Kerr
Dubé	Duncan (Edmonton—Strathcona)	Komarnicki	Kramp (Prince Edward—Hastings)
Dussault	Easter	Lake	Lauzon
Eyking	Footé	Lebel	Leef
Fortin	Freeman	Leitch	Lemieux
Fry	Garneau	Leung	Lizon
Garrison	Genest	Lobb	Lukiwski
Genest-Jourdain	Giguère	Lunney	MacKay (Central Nova)
Godin	Goodale	MacKenzie	Mayes
Gravelle	Grogue	McColeman	McLeod
Harris (Scarborough Southwest)	Harris (St. John's East)	Menegakis	Menzies
Hsu	Hughes	Merrifield	Miller
Jacob	Julian	Moore (Port Moody—Westwood—Port Coquitlam)	
Kellway	Lapointe	Moore (Fundy Royal)	
Larose	Latendresse	Nicholson	Norlock
Laverdière	LeBlanc (Beauséjour)	O'Connor	O'Neill Gordon
LeBlanc (LaSalle—Émard)	Leslie	Obhrai	Oda
Liu	MacAulay	Oliver	Opitz
Mai	Marston	Paradis	Payne
Martin	Masse	Penashue	Poilevire
Matthysen	May	Preston	Raitt
McCallum	McKay (Scarborough—Guildwood)	Rajotte	Rathgeber
Michaud	Moore (Abitibi—Témiscamingue)	Reid	Rempel
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)	Richards	Richardson
Morin (Saint-Hyacinthe—Bagot)	Mourani	Rickford	Ritz
Murray	Nantel	Saxton	Schellenberger
Nicholls	Nunez-Melo	Seebaek	Shea
Pacetti	Papillon	Shipley	Shory
Patry	Péclet	Smith	Sopuck
Perreault	Pilon	Sorenson	Stanton
Plamondon	Quach	Storseth	Strahl
Rafferty	Ravignat	Sweet	Tilson
Raynault	Regan	Toet	Toews
Rousseau	Sandhu	Trost	Trotter
Savoie	Scarpaleggia	Truppe	Tweed
Sellah	Simms (Bonavista—Gander—Grand Falls—Wind- sor)	Uppal	Valcourt
Sims (Newton—North Delta)	Sitsabaiesan	Van Kesteren	Van Loan
St-Denis	Stewart	Vellacott	Wallace
Stoffer	Sullivan	Warawa	Wallace
Thibeault	Toone	Watson	Warkentin
Tremblay	Trudeau	Sky Country)	Weston (West Vancouver—Sunshine Coast—Sea to Sky)
Tumel	Valeriote — 124	Weston (Saint John)	Wilks
		Williamson	Wong
		Woodworth	Yelich
		Young (Oakville)	Young (Vancouver South)
		Zimmer — 159	

**NAYS**

## Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Bateman
Benoit	Bernier
Bezan	Blaney
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooce	Butt
Calandra	Calkins
Cannan	Carrie
Chisu	Chong
Clarke	Clement
Daniel	Davidson
Dechert	Del Mastro
Devolin	Dreeschen
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty

**PAIRED**

Nil

**The Speaker:** I declare Motion No. 4 defeated.

[Translation]

The question is on Motion No. 5.

[English]

**Hon. Gordon O'Connor:** Mr. Speaker, if you seek it I believe you would find agreement to apply the vote on the previous motion to the current motion, with the Conservatives voting no.

**The Speaker:** Is that agreed?**Some hon. members:** Agreed.

● (1840)

**Ms. Chris Charlton:** Mr. Speaker, NDP members are voting yes.**Ms. Judy Foote:** Mr. Speaker, Liberal members are voting yes.

[Translation]

**Mr. Louis Plamondon:** Mr. Speaker, we are voting in favour of this motion.

[English]

**Ms. Elizabeth May:** Mr. Speaker, the Green Party votes yes.

(The House divided on Motion No. 5, which was negatived on the following division:)

(Division No. 68)

YEAS	
Members	
Allen (Welland)	Andrews
Ashton	Atamanenko
Aubin	Ayala
Bélanger	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brossseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Choquette	Chow
Cleary	Coderre
Comartin	Côté
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Edmonton—Strathcona)
Dusseauit	Easter
Eyking	Foote
Fortin	Freeman
Fry	Garneau
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Groguhé
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Jacob	Julian
Kellway	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McCallum	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Mourani
Murray	Nantel
Nicholls	Nunez-Melo
Pacetti	Papillon
Patry	Péclet
Perreault	Pilon
Plamondon	Quach
Rafferty	Ravignat
Raynault	Regan
Rousseau	Sandhu
Savoie	Scarpalleggia
Sellah	Simms (Bonavista—Gander—Grand Falls—Windsor)
Sims (Newton—North Delta)	Sitsabaiesan
St-Denis	Stewart
Stoffler	Sullivan
Thibault	Toone
Tremblay	Trudeau
Turncl	Valeriote — 124

Points of Order

NAYS

Members
Adams
Aglukkaq
Albrecht
Allen (Tobique—Mactaquac)
Ambler
Anders
Armstrong
Aspin
Bateman
Bernier
Blaney
Braid
Brown (Leeds—Grenville)
Brown (Barrie)
Butt
Calkins
Carrie
Chong
Clement
Davidson
Del Mastro
Dreeshen
Fantino
Findlay (Delta—Richmond East)
Flaherty
Gallant
Goguen
Goodyear
Gourde
Harper
Hawn
Hiebert
Hoback
Holder
Jean
Keddy (South Shore—St. Margaret's)
Kerr
Kramp (Prince Edward—Hastings)
Lauzon
Leef
Lemieux
Lizon
Lukiwski
MacKay (Central Nova)
Mayes
McLeod
Menzies
Miller
Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)
Nicholson
O'Connor
Obhrai
Oliver
Paradis
Penashue
Preston
Rajotte
Reid
Richards
Rickford
Saxton
Seeback
Shipley
Smith
Sorenson
Storseth
Sweet
Toet
Trost
Truppe
Uppal
Van Kesteren
Vellacott
Warawa
Watson
Sky Country)
Weston (Saint John)
Williamson
Woodworth
Norlock
O'Neill Gordon
Oda
Opitz
Payne
Poilievre
Raitt
Rathgeber
Rempel
Richardson
Ritz
Schellenberger
Shca
Shory
Sopuck
Stanton
Strahl
Tilson
Toews
Trottier
Tweed
Valcourt
Van Loan
Wallace
Warkentin
Weston (West Vancouver—Sunshine Coast—Sea to
Wilks
Wong
Yclich



*Points of Order*

Young (Oakville)  
Zimmer— 159

Young (Vancouver South)

## PAIRED

Nil

**The Speaker:** I declare Motion No. 5 defeated.

The question is on Motion No. 6.

**Hon. Gordon O'Connor:** Mr. Speaker, if you seek it I believe you would find agreement to apply the vote on the previous motion to the current motion, with the Conservatives voting no.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

**Ms. Chris Charlton:** Mr. Speaker, the NDP is voting yes.

**Ms. Judy Foote:** Mr. Speaker, Liberals are voting yes.

[Translation]

**Mr. Louis Plamondon:** Mr. Speaker, the Bloc is voting yes.

[English]

**Ms. Elizabeth May:** Mr. Speaker, I am voting yes.

(The House divided on Motion No. 6, which was negated on the following division:)

(Division No. 69)

## YEAS

## Members

Allen (Welland)	Andrews
Ashton	Atamanenko
Aubin	Ayala
Bélanger	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brison	Brosseau
Byrne	Caron
Cassey	Cash
Charlton	Chicoine
Choquette	Chow
Cleary	Coderre
Comartin	Côté
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Edmonton—Strathcona)
Dusseau	Easter
Eyking	Foote
Fortin	Freeman
Fry	Garneau
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Grogan
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Jacob	Julian
Kellway	Lapointe
Laroche	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McCallum	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Mourani

Murray  
Nicholls  
Pacetti  
Patry  
Perrault  
Plamondon  
Rafferty  
Raynault  
Rousseau  
Savoie  
Sellah  
sor)  
Sims (Newton—North Delta)  
St-Denis  
Stoffer  
Thibault  
Tremblay  
Turnel

Nantel  
Nunez-Melo  
Papillon  
Pécllet  
Pilon  
Quach  
Ravignat  
Regan  
Sandhu  
Scarpaloggia  
Simms (Bonaville—Gander—Grand Falls—Wind-  
Sitsabaicasan  
Stewart  
Sullivan  
Toone  
Trudeau  
Valeriote— 124

## NAYS

## Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Amblar
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Bateman
Benoit	Bernier
Bezan	Blancy
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carrie
Chisu	Chong
Clarke	Clement
Daniel	Davidson
Dechert	Del Mastro
Devolin	Dreeschen
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Galipeau	Gallant
Glover	Goguen
Goldring	Goodyear
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Hoepfner	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Leaf
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	O'Neill Gordon
Obhrai	Oda
Oliver	Opitz
Paradis	Payne
Penashue	Poileve
Preston	Raitt
Rajotte	Rathgeber
Reid	Rempel
Richards	Richardson
Rickford	Ritz

Saxton	Schellenberger
Seckback	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trottier
Truppe	Twedd
Uppal	Valcourt
Van Kesteren	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Sky Country)	
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Yelich
Young (Oakville)	Young (Vancouver South)
Zimmer— 159	

PAIRED

Nil

**The Speaker:** I declare Motion No. 6 defeated.

[*Translation*]

The question is on Motion No. 7.

[*English*]

**Hon. Gordon O'Connor:** Mr. Speaker, if you seek it I believe you would find agreement to apply the result of the vote on the previous motion to the current one, with the Conservatives voting no.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

**Ms. Chris Charlton:** Mr. Speaker, NDP members are voting yes.

**Ms. Judy Foote:** Mr. Speaker, Liberal members are voting yes.

[*Translation*]

**Mr. Louis Plamondon:** Mr. Speaker, the Bloc votes yes.

[*English*]

**Ms. Elizabeth May:** I am voting yes, Mr. Speaker.

(The House divided on Motion No. 7, which was negatived on the following division:)

(*Division No. 70*)

YEAS

Members	
Allen (Welland)	Andrews
Ashton	Atamanenko
Aubin	Ayala
Bélanger	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulterice
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Cassey	Cash
Charlton	Chicoine
Choquette	Chow
Cleary	Coderre
Comartin	Côté
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dion	Dionne Labelle

Donnelly
Dubé
Dussault
Eyking
Fortin
Fry
Garrison
Genest-Jourdain
Godin
Gravelle
Harris (Scarborough Southwest)
Hsu
Jacob
Kellway
Larose
Laverdière
LeBlanc (LaSalle—Émard)
Liu
Mai
Martin
Mathyssen
McCallum
Michaud
Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Saint-Hyacinthe—Bagot)
Murray
Nicholls
Pacetti
Patry
Perreault
Plamondon
Rafferty
Raynault
Rousseau
Savoie
Sellah sor)
Sims (Newton—North Delta)
St-Denis
Stoffer
Thibeault
Tremblay
Turnel

Ablonczy
Adler
Albas
Alexander
Allison
Ambrose
Anderson
Ashfield
Baird
Benoit
Bezan
Boughen
Breitkreuz
Brown (Newmarket—Aurora)
Bruinoogc
Calandra
Cannan
Chisu
Clarke
Daniel
Dechert
Devolin
Dykstra
Fast
Finley (Haldimand—Norfolk)
Galipeau
Glover
Goldring
Gosal
Grewal
Harris (Cariboo—Prince George)
Hayes
Hillyer
Hoepfner
James
Kamp (Pitt Meadows—Maple Ridge—Mission)

Points of Order

Doré Lefebvre
Duncan (Edmonton—Strathcona)
Easter
Foote
Freeman
Garncau
Genest
Giguère
Goodale
Grogulé
Harris (St. John's East)
Hughes
Julian
Lapointe
Latendresse
LeBlanc (Beauséjour)
Leslie
MacAulay
Marston
Masse
May
McKay (Scarborough—Guildwood)
Moore (Abitibi—Témiscamingue)
Morin (Laurentides—Labelle)
Mourani
Nantel
Nunez-Melo
Papillon
Péclet
Pilon
Quach
Ravignat
Regan
Sandhu
Scarpaleggia
Simms (Bonavista—Gander—Grand Falls—Wind-
Sitsabaiesan
Stewart
Sullivan
Toone
Trudeau
Valcicote— 124

NAYS

Members	
Adams	
Aglukkaq	
Albrecht	
Allen (Tobique—Mactaquac)	
Ambler	
Anders	
Armstrong	
Aspin	
Bateman	
Bernier	
Blancey	
Braid	
Brown (Leeds—Grenville)	
Brown (Barrie)	
Butt	
Calkins	
Carrie	
Chong	
Clement	
Davidson	
Del Mastro	
Dreeshen	
Fantino	
Findlay (Delta—Richmond East)	
Flaherty	
Gallant	
Goguen	
Goodyear	
Gourde	
Harper	
Hawn	
Hicbert	
Hoback	
Holder	
Jean	
Keddy (South Shore—St. Margaret's)	



*Points of Order*

Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Leef
Leitch	Lemieux
Leung	Lizon
Lobb	Lukowski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	O'Neill Gordon
Obhrai	Oda
Oliver	Opitz
Paradis	Payne
Penashue	Poilievre
Preston	Raitt
Rajotte	Rathgeber
Reid	Rempel
Richards	Richardson
Rickford	Ritz
Saxton	Schellenberger
Seeback	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trottier
Truppe	Tweed
Uppal	Valcourt
Van Kesteren	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Yelich
Young (Oakville)	Young (Vancouver South)
Zimmer— 159	

## PAIRED

Nil

**The Speaker:** I declare Motion No. 7 defeated.

The next question is on Motion No. 8.

**Hon. Gordon O'Connor:** Mr. Speaker, if you seek it I believe you would find agreement to apply the vote from the previous motion to the current motion, with the Conservatives voting no.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

**Ms. Chris Charlton:** Mr. Speaker, NDP members are voting yes.

**Ms. Judy Foote:** Mr. Speaker, the Liberal members are voting yes.

[Translation]

**Mr. Louis Plamondon:** Mr. Speaker, the Bloc Québécois is voting in favour of the motion.

[English]

**Ms. Elizabeth May:** Mr. Speaker, the Green Party votes yes.

(The House divided on Motion No. 8, which was negated on the following division:)

*(Division No. 71)*

## YEAS

## Members

Allen (Welland)	Andrews
Ashton	Atamanenko
Aubin	Ayala
Bélanger	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brousseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Choquette	Chow
Cleary	Coderre
Comartin	Côté
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Edmonton—Strathcona)
Duscault	Easter
Eyking	Foote
Fortin	Freeman
Fry	Garneau
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Groguché
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Jacob	Julian
Kellway	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathyssen	May
McCallum	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Mourani
Murray	Nantel
Nicholls	Nunez-Melo
Pacetti	Papillon
Patry	Péclet
Perreault	Pilon
Plamondon	Quach
Rafferty	Ravignat
Raynault	Regan
Rousseau	Sandhu
Savoie	Scarpaleggia
Sellah	Simms (Bonavista—Gander—Grand Falls—Wind- sor)
Sims (Newton—North Delta)	Sitsabaiesan
St-Denis	Stewart
Stoffer	Sullivan
Thibeault	Toone
Tremblay	Trudeau
Turnel	Valenote — 124

## NAYS

## Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Baileman
Benoit	Bernier

Bezan	Blancy
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carrie
Chisu	Chong
Clarke	Clement
Daniel	Davidson
Dechert	Del Mastro
Devolin	Dreeshen
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Galipeau	Gallant
Glover	Goguen
Golding	Goodyear
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Hoeppner	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauson
Lebel	Leef
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	O'Neill Gordon
Obhrai	Oda
Oliver	Opitz
Paradis	Payne
Penashue	Poillievre
Preston	Raitt
Rajotte	Rathgeber
Reid	Rempel
Richards	Richardson
Rickford	Ritz
Saxton	Schellenberger
Seeback	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trottier
Truppe	Twedd
Uppal	Valcourt
Van Kesteren	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Sky Country)	
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Yelich
Young (Oakville)	Young (Vancouver South)
Zimmer— 159	

# PAIRED

Nil

**The Speaker:** I declare Motion No. 8 defeated.

The next question is on Motion No. 9.

**Hon. Gordon O'Connor:** Mr. Speaker, if you seek it I believe you would find agreement to apply the vote from the previous motion to the current motion, with the Conservatives voting no.

## Points of Order

**The Speaker:** Is there unanimous consent to proceed in this fashion?

**Some hon. members:** Agreed.

**Ms. Chris Charlton:** Mr. Speaker, NDP members are voting yes.

**Ms. Judy Foote:** Mr. Speaker, the Liberal members are voting yes.

[Translation]

**Mr. Louis Plamondon:** Mr. Speaker, the Bloc Québécois is voting in favour of the motion.

**Ms. Elizabeth May:** Mr. Speaker, the Green Party is voting in favour of the motion.

[English]

(The House divided on Motion No. 9, which was negated on the following division:)

(Division No. 72)

## YEAS

### Members

Allen (Welland)	Andrews
Ashton	Atamanenko
Aubin	Ayala
Bélanger	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brossseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Choquette	Chow
Cleary	Coderre
Comartin	Côté
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Edmonton—Strathcona)
Dussault	Easter
Eyking	Foote
Fortin	Freeman
Fry	Gameau
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Grogue
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Jacob	Julian
Kellway	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Lcslic
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McCallum	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Mourani
Murray	Nantel
Nicholls	Nunez-Melo
Pacetti	Papillon
Patry	Péclet
Perreault	Pilon
Plamondon	Quach
Rafferty	Ravignat
Raynault	Regan



*Points of Order*

Rousseau	Sandhu
Savoie	Scarpaleggia
Sellah	Simms (Bonavista—Gander—Grand Falls—Wind- sor)
Sims (Newton—North Delta)	Sitsabaiesan
St-Denis	Stewart
Stoffer	Sullivan
Thibault	Toone
Tremblay	Trudeau
Turnel	Valeriote— 124

## NAYS

## Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Bateman
Benoit	Bernier
Bezan	Blaney
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carrie
Chisu	Chong
Clarke	Clement
Daniel	Davidson
Dechert	Del Mastro
Devolin	Dreeshen
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Galipeau	Gallant
Glover	Goguen
Goldring	Goodyear
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Hoepfner	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauson
Lebel	Leaf
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	O'Neill Gordon
Obhrai	Oda
Oliver	Opitz
Paradis	Payne
Penashue	Poillievre
Preston	Raitt
Rajotte	Rathgeber
Reid	Rempel
Richards	Richardson
Rickford	Ritz
Saxton	Schellenberger
Seebach	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Toews

Trost	Trottier
Truppe	Tweed
Uppal	Valcourt
Van Kesteren	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Yelich
Young (Oakville)	Young (Vancouver South)
Zimmer— 159	

## PAIRED

Nil

**The Speaker:** I declare Motion No. 9 defeated.

[Translation]

The question is on Motion No. 10.

[English]

**Hon. Gordon O'Connor:** Mr. Speaker, if you seek it I believe you would find agreement to apply the vote from the previous motion to the current motion, with the Conservatives voting no.

**The Speaker:** Is that agreed?**Some hon. members:** Agreed.

[Translation]

**Ms. Chris Charlton:** Mr. Speaker, the NDP is voting in favour of the motion.

[English]

**Ms. Judy Foote:** Mr. Speaker, the Liberal members are voting yes.

[Translation]

**Mr. Louis Plamondon:** Mr. Speaker, the Bloc Québécois is voting in favour of the motion.

[English]

**Ms. Elizabeth May:** Mr. Speaker, the Green Party votes yes.

(The House divided on Motion No. 10, which was negated on the following division:)

(Division No. 73)

## YEAS

## Members

Allen (Welland)	Andrews
Ashton	Atamanenko
Aubin	Ayala
Bélanger	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brousseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Choquette	Chow
Clardy	Coderre
Comartin	Côté
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dion	Dionne Labelle
Donnelly	Doré Lefebvre

Dubé  
 Dusseault  
 Eyring  
 Fortin  
 Fry  
 Garrison  
 Genest-Jourdain  
 Godin  
 Gravelle  
 Harris (Scarborough Southwest)  
 Ilsu  
 Jacob  
 Kellway  
 LaRose  
 Laverdière  
 LeBlanc (LaSalle—Émard)  
 Liu  
 Mai  
 Martin  
 Mathysen  
 McCallum  
 Michaud  
 Morin (Notre-Dame-de-Grâce—Lachine)  
 Morin (Saint-Hyacinthe—Bagot)  
 Murray  
 Nicholls  
 Pacetti  
 Patry  
 Perrault  
 Plamondon  
 Rafferty  
 Raynauld  
 Rousseau  
 Savoie  
 Sellah  
 Sellah  
 (sor)  
 Sims (Newton—North Delta)  
 St-Denis  
 Stoffer  
 Thibault  
 Tremblay  
 Turmel

Duncan (Edmonton—Strathcona)  
 Easter  
 Foote  
 Freeman  
 Garneau  
 Genest  
 Giguère  
 Goodale  
 Groguhé  
 Harris (St. John's East)  
 Hughes  
 Julian  
 Lapointe  
 Latendresse  
 LeBlanc (Beauséjour)  
 Leslie  
 MacAulay  
 Marston  
 Masse  
 May  
 McKay (Scarborough—Guildwood)  
 Moore (Abitibi—Témiscamingue)  
 Morin (Laurentides—Labelle)  
 Mourani  
 Nantel  
 Nunez-Melo  
 Papillon  
 Péclet  
 Pilon  
 Quach  
 Ravignat  
 Regan  
 Sandhu  
 Scarpaleggia  
 Simms (Bonavista—Gander—Grand Falls—Wind-  
 sor)  
 Sitsabaicsan  
 Stewart  
 Sullivan  
 Toone  
 Trudeau  
 Valeriote — 124

NAYS

Members

Ablonczy  
 Adler  
 Albas  
 Alexander  
 Allison  
 Ambrose  
 Anderson  
 Ashfield  
 Baird  
 Benoit  
 Bezan  
 Boughen  
 Breitkreuz  
 Brown (Newmarket—Aurora)  
 Bruinooge  
 Calandra  
 Cannan  
 Chisu  
 Clarke  
 Daniel  
 Dechert  
 Devolin  
 Dykstra  
 Fast  
 Finley (Haldimand—Norfolk)  
 Galipeau  
 Glover  
 Goldring  
 Gosal  
 Grewal  
 Harris (Cariboo—Prince George)  
 Hayes  
 Hillyer  
 Hoepfner  
 James  
 Kamp (Pitt Meadows—Maple Ridge—Mission)  
 Kent

Adams  
 Aglukkaq  
 Albrecht  
 Allen (Tobique—Mactaquac)  
 Ambler  
 Anders  
 Armstrong  
 Aspin  
 Bateman  
 Bernier  
 Blaney  
 Braid  
 Brown (Leeds—Grenville)  
 Brown (Barrie)  
 Butt  
 Calkins  
 Carrié  
 Chong  
 Clement  
 Davidson  
 Del Mastro  
 Dreeshen  
 Fantino  
 Findlay (Delta—Richmond East)  
 Flaherty  
 Gallant  
 Goguen  
 Goodyear  
 Gourde  
 Harper  
 Hawn  
 Hebert  
 Hoback  
 Holder  
 Jean  
 Keddy (South Shore—St. Margaret's)  
 Kerr

Komarnicki  
 Lake  
 Lebel  
 Leitch  
 Leung  
 Lobb  
 Lunney  
 MacKenzie  
 McColeman  
 Menegakis  
 Merrifield  
 Moore (Port Moody—Westwood—Port Coquitlam)  
 Moore (Fundy Royal)  
 Nicholson  
 O'Connor  
 Obhrai  
 Oliver  
 Paradis  
 Penashue  
 Preston  
 Rajotte  
 Reid  
 Richards  
 Rickford  
 Saxton  
 Seeback  
 Shipley  
 Smith  
 Sorenson  
 Storseth  
 Sweet  
 Toet  
 Trost  
 Truppe  
 Uppal  
 Van Kesteren  
 Vellacott  
 Warawa  
 Watson  
 Sky Country)  
 Weston (Saint John)  
 Williamson  
 Woodworth  
 Young (Oakville)  
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Kramp (Prince Edward—Hastings)  
 Lauzon  
 Leef  
 Lemieux  
 Lizon  
 Lukiwski  
 MacKay (Central Nova)  
 Mayes  
 McLeod  
 Menzies  
 Miller  
 Norlock  
 O'Neill Gordon  
 Oda  
 Opitz  
 Payne  
 Poilievre  
 Raitt  
 Rathgeber  
 Rempel  
 Richardson  
 Ritz  
 Schellenberger  
 Shea  
 Shory  
 Sopuck  
 Stanton  
 Strahl  
 Tilson  
 Toews  
 Trotter  
 Tweed  
 Valcourt  
 Van Loan  
 Wallace  
 Warkentin  
 Weston (West Vancouver—Sunshine Coast—Sea to  
 Skia)  
 Wilks  
 Wong  
 Yelich  
 Young (Vancouver South)

Points of Order

PAIRED

Nil

**The Speaker:** I declare Motion No. 10 defeated.

The next question is on Motion No. 11.

**Hon. Gordon O'Connor:** Mr. Speaker, if you seek it I believe you would find agreement to apply the vote from the previous motion to the current motion, with the Conservatives voting no.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

**Ms. Chris Charlton:** Mr. Speaker, NDP members are voting yes.

**Ms. Judy Foote:** Mr. Speaker, the Liberal members are voting yes.

● (1845)

[Translation]

**Mr. Louis Plamondon:** Mr. Speaker, the Bloc Québécois is voting in favour of the motion.

[English]

**Ms. Elizabeth May:** Mr. Speaker, the Green Party votes yes.

(The House divided on Motion No. 11, which was negatived on the following division:)



*Points of Order**(Division No. 74)***YEAS****Members**

Allen (Welland)	Andrews
Ashton	Atamanenko
Aubin	Ayala
Bélanger	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Choquette	Chow
Cleary	Coderre
Comartin	Côté
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Edmonton—Strathcona)
Dussault	Easter
Eyking	Footé
Fortin	Freeman
Fry	Garneau
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Grogg
Harris (Scarborough Southwest)	Harris (St. John's East)
Isu	Hughes
Jacob	Julian
Kellway	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McCallum	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Mourani
Murray	Nantel
Nicholls	Nunez-Melo
Pacetti	Papillon
Patry	Péclét
Perrault	Pilon
Plamondon	Quach
Rafferty	Ravignat
Raynault	Regan
Rousseau	Sandhu
Savoie	Scarpaleggia
Sellah	Simms (Bonaville—Gander—Grand Falls—Windsor)
Sims (Newton—North Delta)	Sitsabaiesan
St-Denis	Stewart
Stoffer	Sullivan
Thibault	Toone
Tremblay	Trudeau
Turnel	Valériote — 124

**NAYS****Members**

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Amblar
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Bateman
Benoit	Bernier

Bezan	Blaney
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carrie
Chisu	Chong
Clarke	Clement
Daniel	Davidson
Dechert	Del Mastro
Devolin	Dreeshen
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Galipeau	Gallant
Glover	Goguen
Goldring	Goodyear
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Hoepfner	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Lee
Leitch	Lemieux
Leung	Lizon
Lobb	Lukowski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	Norlock
Moore (Fundy Royal)	O'Neill Gordon
Nicholson	Oda
O'Connor	Opitz
Obhrai	Payne
Oliver	Poillievre
Paradis	Raitt
Penashue	Rathgeber
Preston	Rempel
Rajotte	Richardson
Reid	Ritz
Richards	Schellenberger
Rickford	Shea
Saxton	Shory
Seebach	Sopuck
Shipley	Stanton
Smith	Strahl
Sorenson	Tilson
Storseth	Toews
Sweet	Trottier
Toet	Tweed
Trost	Valcourt
Truppe	Van Loan
Uppal	Wallace
Van Kesteren	Warkentin
Vellacott	Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Warawa	Wilks
Watson	Wong
Sky Country)	Yelich
Weston (Saint John)	Young (Vancouver South)
Williamson	
Woodworth	
Young (Oakville)	
Zimmer — 159	

**PAIRED**

Nil

**The Speaker:** I declare Motion No. 11 defeated.

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC)** moved that the bill be concurred in.

**The Speaker:** Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the yeas have it.

*And five or more members having risen:*

• (1850)

(The House divided on the motion, which was agreed to on the following division:)

*(Division No. 75)*

YEAS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Bateman
Benoit	Bernier
Bezan	Blaney
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carrie
Chisu	Chong
Clarke	Clement
Daniel	Davidson
Dechert	Del Mastro
Devolin	Dreeshen
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Galipeau	Gallant
Glover	Goguen
Golding	Goodyear
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Hoepfner	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Leef
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock

O'Connor  
Obhrai  
Oliver  
Paradis  
Penashue  
Preston  
Rajotte  
Reid  
Richards  
Rickford  
Saxton  
Seeback  
Shipley  
Smith  
Sorenson  
Storseth  
Sweet  
Toet  
Trost  
Truppe  
Uppal  
Van Kesteren  
Vellacott  
Warawa  
Watson  
Sky Country)  
Weston (Saint John)  
Williamson  
Woodworth  
Young (Oakville)  
Zimmer — 159

O'Neill Gordon  
Oda  
Opitz  
Payne  
Poilievre  
Raitt  
Rathgeber  
Rempel  
Richardson  
Ritz  
Schellenberger  
Shea  
Shory  
Sopuck  
Stanton  
Strahl  
Tilson  
Toews  
Trottier  
Twced  
Valcourt  
Van Loan  
Wallace  
Warkentin  
Weston (West Vancouver—Sunshine Coast—Sea to  
Wilks  
Wong  
Yclich  
Young (Vancouver South)

NAYS

Members

Andrews  
Atamanenko  
Ayala  
Bellavance  
Benskin  
Blanchette  
Boivin  
Boulerice  
Brahmi  
Brosseau  
Caron  
Cash  
Chicoine  
Chow  
Coderre  
Côté  
Crowder  
Davies (Vancouver Kingsway)  
Day  
Dionne Labelle  
Doré Lefebvre  
Duncan (Edmonton—Strathcona)  
Easter  
Foote  
Freeman  
Garnica  
Genest  
Giguère  
Goodale  
Grogue  
Harris (St. John's East)  
Hughes  
Julian  
Lapointe  
Latendresse  
LeBlanc (Beauséjour)  
Leslie  
MacAulay  
Marston  
Masse  
May  
McKay (Scarborough—Guildwood)  
Moore (Abitibi—Témiscamingue)  
Morin (Laurentides—Labelle)  
Mourani  
Nantel  
Nunez-Melo  
Papillon



*Private Members' Business*

Patry	Pécllet
Perrault	Pilon
Plamondon	Quach
Rafferty	Ravignat
Raynault	Regan
Rousseau	Sandhu
Savoie	Scarpaleggia
Sellah	Simms (Bonavista—Gander—Grand Falls—Wind- sor)
Sims (Newton—North Delta)	Sitsabaicsan
St-Denis	Stewart
Stoffer	Sullivan
Thibault	Toone
Tremblay	Trudeau
Turnel	Valeriote — 124

## PAIRED

Nil

**The Speaker:** I declare the motion carried.

It being 6:54 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

**PRIVATE MEMBERS' BUSINESS**

[English]

**CANADA WATER PRESERVATION ACT**

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)** moved that Bill C-267, An Act respecting the preservation of Canada's water resources, be read the second time and referred to a committee.

**Ms. Elizabeth May:** Mr. Speaker, I rise on a point of order. I would request unanimous consent of the House that I might have the honour of co-seconding Bill C-267 put forward by the hon. member for Lac-Saint-Louis.

**The Speaker:** Does the hon. member have the unanimous consent of the House to be named as a co-seconder?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**Mr. Francis Scarpaleggia:** Mr. Speaker, I would like to put my bill and the debate we are launching tonight into some context by referring to a couple of facts and a couple of quotes from eminent individuals.

While there are alternatives to oil, there are as yet no reasonable alternatives to water. That is fact number one.

Fact number two is that Canada holds 20% of the world's fresh water. The United States, on the other hand, has—

• (1855)

**The Acting Speaker (Mr. Bruce Stanton):** Order, please. In fairness to the hon. member for Lac-Saint-Louis, I would ask that all hon. members who need to carry on conversations to please take those conversations out to their respective lobbies.

The hon. member for Lac-Saint-Louis.

**Mr. Francis Scarpaleggia:** Mr. Speaker, I will start over. I would like to put my bill and the debate we are launching tonight into some context by referring to two facts and quoting two eminent individuals.

The first fact is that, while there are alternatives to oil, there are as yet no reasonable alternatives to water. The second fact is that Canada holds 20% of the world's freshwater. The United States has one-tenth of Canada's water but nine times our population.

At a conference in Peterborough not long ago, Robert Kennedy Jr. said, in reference to the United States:

We are in the midst of a water crisis that has no end in sight, and the place people are looking to solve it is Canada.

If you talk to the engineers and the planning and policy makers in Scottsdale, Ariz., and Phoenix and Las Vegas...they'll say, "Well we don't have to worry about this because we'll just get the water from Canada".

The second quote is from Citi Bank chief economist, Willem Buiter, who declared in July 2001 his belief that the water market would become larger than the oil market in this century. He said:

I expect to see in the near future a massive expansion of investment in the water sector, including the production of fresh, clean water from other sources (desalination, purification), storage, shipping and transportation of water. I expect to see pipeline networks that will exceed the capacity of those for oil and gas today.

Water is not oil. It is a unique natural resource because of its life-sustaining qualities for humans, the environment and the economy. Water drives our economy, whether it be agriculture or the modern products of the computer age. Water is in high demand to allow those industries to grow and prosper.

I think a little history is in order to give a little more context to my bill.

The first proposals for exporting Canada's freshwater date back to the 1950s and 1960s. These involved the grandiose schemes for redirecting the natural flow of some of Canada's rivers toward the United States and other parts of Canada. In fact, in 1951, the U.S. bureau of reclamation undertook an extensive study called, "United Western Investigation". The goal was to expand irrigation through the diversion of North American rivers.

In 1959, the GRAND Canal project proposed to build a dyke across James Bay to separate it from Hudson Bay, turning the resulting reservoir into a freshwater lake whose water would then be pumped southward into the Great Lakes and parts of the United States and Canada.

In 1964, the North American Water and Power Alliance project proposed damming the major rivers of Alaska and British Columbia to divert water into the Rocky Mountain Trench to create a 500 mile freshwater lake running the length of British Columbia.

In the 1990s, a series of more modest water export proposals made surprising and significant headway in three provinces, namely, British Columbia, Ontario and Newfoundland and Labrador, before being halted by governments responding to negative public reaction.

Despite the reversals of earlier attempts to sell Canada's water abroad, and in the face of public opinion that today still solidly opposes bulk water exports, calls to export Canada's freshwater have not subsided, surprisingly. Rather, they may be said to have increased, at times backed by studies by respected think tanks, I would add mostly conservative think tanks, that often combine the language of the human right to water as a means of adding moral impetus and justification to the traditional economic reasons for favouring bulk water exports.

● (1900)

I will give an example. In 2008 the Montreal Economic Institute published a report called "Freshwater exports for the development of Quebec's blue gold". The report claimed:

Fresh water is a product whose relative economic value has risen substantially and will keep rising in the coming years. It has become a growing source of wealth and an increasingly worthwhile investment opportunity.

In June 2010 the Fraser Institute released a report entitled "Making Waves: Examining the Case for Sustainable Water Exports from Canada". The report concluded that the myriad of federal and provincial statutes and regulations effectively banning water exports should be eliminated.

That is obviously the tenor of some of the reports that have come out of conservative think tanks in the last few years. We see a trend. We have the grandiose schemes of the 1950s and 1960s. Many of these are not particularly practical because of the cost and the damage to the environment. Then we see, in the second stage, in the 1990s, more modest projects involving tanker ships, projects that actually gained the support of three provincial governments. Then following prohibitions on water exports in the provinces, we still see think tanks proposing the idea and backing up their proposals with economic analysis.

In order to fully explore this issue, we have to refer to the North American Free Trade Agreement. It, of course, changed the trading environment in North America and raised questions about whether water would some day be traded within that common market. In order to fully grasp the implications of NAFTA for Canada's ability to control its fresh water, it is necessary to focus on three principles that are in the agreement: the principle of national treatment, the principle of investor rights, and the principle of proportionality. These principles govern and constrain the actions of signatory countries to the agreement.

National treatment could mean, depending on interpretation, that the consumers of one country must have access to the same goods or products as consumers in the other country. In other words, one country may not ban the export to the other country of goods or products already being traded within its domestic market.

The notion of investor rights means that a country cannot directly expropriate the interests of a foreign investor or take actions such as regulations that effectively diminish the earnings from and, hence, the value of an investment, actions that would be considered tantamount to expropriation.

Let us take the example of a hypothetical foreign corporation with a permit to ship water within Canada. If this were to occur, it could argue that a prohibition on shipping water to the United States devalues its investment. Afterward, an arbitration tribunal might

agree and invoke the rights of U.S. consumers of water, for example, American farmers and consumers of farm products, to benefit from Canada's water in the same way as Canadian farmers and consumers of agricultural products do.

I would like to digress before explaining the meaning of the principle of proportionality by mentioning that the federal Conservative government made a very unwise decision recently in regard to a case brought to a NAFTA tribunal by AbitibiBowater, which is a Canadian firm incorporated in Delaware with sizeable U.S. assets.

The firm closed its pulp and paper mills in Grand Falls, Windsor, Newfoundland and Labrador, and then wanted to sell its assets, including certain timber harvesting licences and water use permits. As the House will recall, the Newfoundland government moved to re-appropriate these rights as they were originally contingent on production. AbitibiBowater sidestepped the Canadian courts and challenged the Newfoundland government under NAFTA's investor protection provisions.

● (1905)

In this particular instance, a foreign company asserted its right to Canada's water and the matter was headed toward deliberations in a NAFTA tribunal. The Conservative government settled out of court and gave the company \$130 million and essentially created a private right of a foreign corporation to Canada's water.

Now, there are already foreign claims on water. That makes it more likely that a corporation could argue that its investor rights are being infringed upon if that corporation is not allowed to do what it wishes with the water for which it has a permit.

Finally, I wish to speak about the principle of proportionality. If we were ever to export our water in bulk, it would be difficult to prohibit those exports once they had begun. Proportional sharing means that if we were to apply an export tax or levy, for example, on a product that is sold outside Canada, thereby reducing the amount of exports of that product, we would have to take similar action in Canada to proportionately reduce the domestic consumption of that product or natural resource.

It is interesting to note that two types of natural resources were exempted under NAFTA by the previous Mulroney Conservative government. One of them unfortunately is not water. The Mulroney government did not have the foresight to exempt water from the proportional sharing clause in NAFTA. Timber and unprocessed fish were exempted. Proportional sharing does not apply to those two natural resources, but unfortunately it applies to water.

We have a problem. There is a great deal of uncertainty about what NAFTA means with respect to Canada's right to control its water sovereignty. Nine of our ten provinces have laws for the time being that prohibit the export of water from their jurisdictions. New Brunswick does not have a law but does have a policy against bulk water exports from its jurisdiction.



*Private Members' Business*

If NAFTA were to be superimposed on the complexities of the Canadian federal system, that uncertainty would continue because any one of those provinces could lift their ban on bulk water exports at any time. If more pressure builds from think tanks and interest groups or entrepreneurs in different provinces, one could see a day come when there would be pressure to lift those bans.

We need what is called federal backstop legislation and that is what my bill is. It is called the Canadian water preservation act. Its primary goal is to prohibit the removal of fresh water in bulk from what one aquatic basin in Canada to another, and I define bulk as over 50,000 litres per day. The interbasin transfer of water by any means would be prohibited, including but not limited to, pipeline, tunnel, canal, aqueduct or water bag. The basic contours of the basins would be negotiated with the provinces and would be the object of regulations.

What I am saying is that if we cannot take water from one basin and bring it to another and another, and so on until it crosses the American border, then we cannot export Canada's water and we are protecting the environment at the same time.

The bill would not apply to boundary waters because the Chrétien government had the foresight and the wisdom to protect boundary waters such as the Great Lakes, the St. Lawrence River and Lake of the Woods from bulk water removal and bulk water exports, in 2001 when it amended the International Boundary Waters Treaty Act.

• (1910)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, the Government of Canada has a federal water policy that has been in place since 1986 calling for the banning of bulk water exports. It is the only one we had so it must be still in place.

The most recent statement on the matter was made in the Speech from the Throne in 2008 when the current government, in its minority form, pledged to put forward legislation to ban bulk water exports.

Does the hon. member expect the support of the government in ensuring that this important legislation gets passed? As he noted, under NAFTA, if we let any water get exported to the United States, we can never turn that tap off again.

**Mr. Francis Scarpaleggia:** Mr. Speaker, indeed, the 1987 water policy that was put forth by the Conservative government of the day clearly stated that Canada should bring in legislation to prevent bulk water exports. The government then, in its throne speech in November 2008, said it would do so, that it would prohibit exports by prohibiting interbasin transfers. It did not follow through on its own throne speech promise because it introduced watered-down legislation that did not ban interbasin transfers, as it had promised in the throne speech.

I would very much like the members on the other side to see the wisdom of this legislation, to see that it is consistent with their own statements, and support the legislation. However, I am not that optimistic.

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, my friend has mentioned various trade agreements: the Canada-U.S. trade agreement and NAFTA. I wonder if he has any concerns about exposure of our water supply in the CETA discussions and negotiations.

**Mr. Francis Scarpaleggia:** Mr. Speaker, I do and in other regards, not only in terms of how CETA would apply to potential future exports. It is very difficult to know what is in CETA because the government is not telling us what it is negotiating, so I will not be very specific in my answer.

When it comes to CETA, I am more concerned about the fact that, if Canadian municipalities decide to give a contract for the management of their municipal drinking water systems, they would be forced to allow foreign water companies to bid on those contracts, whereas now they can invite a foreign company to bid, but they are not required to have a European water company bid. I am a little concerned that we could be giving up control of municipal water systems to European multinationals. I am very concerned about CETA, but again, the government has not told us what it is up to.

**Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC):** Mr. Speaker, Bill C-267 seeks to prohibit the removal of water in bulk from major drainage basins in Canada. Unfortunately, the bill is fraught with redundancies. I will spend my time today discussing why. I will start by giving the House a sense of the federal role in the shared management of our waters as it applies internationally and domestically. It is a role that is designed to respect both federal and provincial jurisdictions.

Canada's Constitution makes it a province's responsibility to manage natural resources within its boundaries. However, it does not explicitly assign responsibility for water management to either the federal or provincial government. Therefore, traditionally we have shared this role.

At the federal level, we have a long history of bilateral co-operation with the United States to manage boundary and transboundary waters through a set of treaties and agreements that have been mentioned here tonight, like the Boundary Waters Treaty. This treaty, with the International Joint Commission that it created, has successfully promoted co-operative solutions to shared water issues with the United States for more than 100 years.

Under the Boundary Waters Treaty, the federal government supports the International Joint Commission by providing expert technical and engineering staff to oversee the flow of water in these basins. The commission also engages experts from other levels of government from both sides of the boundary. It creates the structure for the federal, provincial and state agencies to work together in the best interests of the people from both countries.

Additionally, when Canada, the United States and Mexico ratified the North American Free Trade Agreement, they declared that it created no rights to water in its natural state.

Beyond the international dimension, the federal government also takes an appropriate role with the provinces in overseeing the apportionment of water that flows from one province to another, such as with the Prairie Provinces Water Board. The federal government acts as a neutral third party in making sure that the terms of the master agreements on apportionment are followed.

I would also like to note, and this has been discussed here previously tonight, that the federal government has already undertaken specific action to ban bulk water removals from waters that are within our jurisdiction.

Specifically, the Minister of Foreign Affairs is responsible for the administration of the International Boundary Waters Treaty Act. For over a decade, that act has prohibited bulk water removals from the Canadian portion of the boundary water basins. These are basins that contain the lakes and rivers that form or run along the international boundary.

In putting in place these protections, the federal government has always been mindful that it is a provincial responsibility to manage water within a province's territorial boundaries and this is as it should be. In keeping with these shared responsibilities, it is important to underscore how active our provincial and territorial partners have been in putting in place the measures to be sound stewards of our water resources. Over the last 10 years, all the provinces have put in place laws, regulations or policies that prevent the transfer of water between basins, or outside their boundaries, and in some cases, both.

Therefore, the bill is an unnecessary incursion into provincial jurisdiction.

The former leader of the Liberal Party of Canada, the hon. member for Saint-Laurent—Cartierville, has questioned the constitutionality of this legislation at committee, a significant issue that is associated with the bill.

Bill C-267 would place the issue of bulk water transfers, domestically and internationally, wholly within federal jurisdiction. This is a departure from the federal government's traditional jurisdiction and raises constitutional issues. In particular, there are concerns whether it can be supported by a federal head of power, particularly given its focus on waters other than transboundary basins.

Similarly, it is unlikely that Parliament could rely on peace, order and good government to legislate in this case. The bill does not meet the national concern part of this test. In particular, there is no provincial inability to address the issue.

On this point, federal incursion into water management wholly within provincial boundaries, as proposed by the bill, would be duplicative and an intrusion on provincial jurisdiction. It would also imply that, without additional federal government oversight of the provincial protections already in place, the provinces would open the floodgates to bulk water diversion projects. This simply does not align with all the evidence to date of strong provincial actions to prohibit such removals, contrary to the alarmist nature of the member opposite's speech.

### *Private Members' Business*

Additional redundancies relate to a law passed by the United States that explicitly prevents the removal of water from the Great Lakes basin.

• (1915)

This brought into force a political compact that was developed by the eight Great Lake states in 2008. When this occurred, the governments of Ontario and Quebec also signed a side accord with these eight states which adopted the same principles.

Let me conclude by summarizing the key flaws and redundancies contained in the bill. Bill C-267 would place the issue of bulk water transfers, domestically and internationally, wholly in federal jurisdiction. This is a departure from the federal government's traditional jurisdiction and raises significant constitutional issues. We do not want to federalize every drop of water in Canada, nor should we. We respect the role and the jurisdiction of the provinces with regard to the sustainable management of our water resources.

Robust protections already exist at the federal and provincial level to prevent the removal of water in bulk and there is, therefore, no justification for the federal government to act in prohibiting the transfer of water within the territory of a province. Also, we look forward to continuing the long-standing co-operative relationships we have established with our provincial, territorial and U.S. colleagues to continue our shared efforts to sustainably manage our water resources. As such, I encourage members not to support this bill.

• (1920)

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, I will keep it pretty short because other colleagues would like to speak to this bill.

The member for Lac-Saint-Louis should rest assured the NDP will support this bill to get it to committee because it is really important for us to discuss some key issues.

The NDP has been strong on water issues for quite a long time. In 1999 we had a fantastic motion banning bulk water exports, and it passed this House with debate. We have a long history when it comes to water issues.

I appreciated my colleague's explanation about NAFTA and proportionality and how it is linked to exportation. That cleared up a lot of questions I had.

At committee I would like to hear from some folks about a few issues.

First, one thing about the bill is it appears that bulk water removal is limited through diversion only and would not apply to removal by, say, pumping water into a ship or a truck. Therefore, I want to ask questions, explore that issue and hear from witnesses about that.

The other piece that is interesting, and is missing, is the fact that there is a specific exception for manufactured water products, including bottled water, so it would be great to explore that at committee. I would like to see what the implications would be of having that exception specifically written into the legislation.



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A technical detail that I would like to explore with witnesses is the fact that the bill gives government very wide regulatory powers and it includes the ability to redefine the scope of exceptions through regulations and make regulations for other exceptions. I feel that is overly broad. That could allow the government to rewrite the act through regulatory powers. We would want to see if in fact this broad regulatory scope does not actually undermine the legislation. If we find that it does, perhaps we could introduce some amendments.

The final piece I would like to discuss at committee is the fact that there is actually no definition, or guidance given to the governor in council on what constitutes a major drainage basin. The effectiveness of the bill, or the power of the bill absolutely depends on what is the definition of a major drainage basin. In theory, the governor in council could write a definition such that none of our waterways or drainage basins constitute major drainage basins. I would like to hear what witnesses have to say about it.

Those are things we can deal with at committee. That is why we have committee. That is part of the exciting legislative process here in Parliament. I look forward to voting for this bill. I hope it does get to committee so we can explore those issues.

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, I am pleased to rise this evening to speak to Bill C-267, An Act respecting the preservation of Canada's water resources, put forward by my good friend and colleague, the member for Lac-Saint-Louis.

I believe that all too often we take water for granted. It is something that is all around us, easily accessed, and few of us give it a second thought. Last week, in the face of the ongoing state of emergency in Attawapiskat, my party brought forward a motion calling on the government to take immediate action to ensure safe and clean running water for all Canadians and, in particular, on first nations reserves.

In this year's government-commissioned national assessment of first nations water and waste water systems, a national roll-up report, it was revealed that after examining 97% of all first nations water and waste water systems, 73% of all water systems on reserves were either a high 39% or a medium 34% risk to human health. Thankfully, that motion received unanimous consent of all parties in the House and we now wait impatiently for it to be acted on.

Not only must we keep water safe, but it is essential that we preserve this precious resource. Canada holds 20% of the world's fresh water. To place that in perspective, as was indicated by the member for Lac-Saint-Louis, the United States has one-tenth of our fresh water resources with almost nine times our population. The United States and the rest of the world covet our water supply.

There are those in Canada, industry and otherwise, who simply lack the necessary commitment to the conservation of our water supply. The false notion that water is an entirely renewable resource is far too prevalent and we need more awareness of the issue. Even our Great Lakes system is seen as an endless water supply. Few realize that only 10% is renewable.

Climate change is not only diminishing our own fresh water supplies but creates shortages in countries without the same natural resources as Canada. Take, for instance, countries in sub-Saharan

Africa and India that face water depletion issues every day. Since the 1950s, proposals to export our fresh water to the United States have abounded, making bulk water exports an issue of profound national concern.

The Liberal Party believes the issue of bulk water exports is one of profound national concern and I am disappointed, as are most Canadians, that the Conservative Party does not, as expressed by the Parliamentary Secretary to the Minister of the Environment, and has proven that its former commitments to end bulk water exports are merely more hollow words.

We need to take action and this bill brought forward by my colleague takes appropriate, much needed steps to keep water in its home basin or in its ecosystem. This bill would also have the coincidental result of effectively prohibiting the wholesale movement of water to areas outside Canada's borders by, without limitation, tunnel, canal, pipeline, water bag or aqueduct.

It is especially timely as the calls to export Canada's water have increased in recent years. A previous Conservative government failed to secure Canada's right to preserve its fresh water within its national boundaries under both the Canada-United States Free Trade Agreement and then the subsequent North American Free Trade Agreement, and we can only imagine what is secretly being done under CETA.

The present government has not, by any measure, shown it is willing to fight for Canadian natural resources as it kowtows to U.S. protectionism and gives away our competitive advantages, like the Canadian Wheat Board, and puts our supply management at risk.

The proposed Canada water preservation act is a necessary measure to backstop our fresh water. The bill would prohibit the removal of fresh water in bulk from one aquatic basin to another by any means. The bill would also accomplish another environmental goal, insofar as it would prevent the spread of invasive species from ecosystem to ecosystem. Take, for instance, the ravages caused by invasive species like the zebra mussel or the Asian carp. Moving water from one basin to another takes species from their natural basin and introduces them into a foreign environment, often with surprising consequences.

While all the provinces currently prohibit the export of water in bulk by establishing a national treatment for the issue of water exports, we signal not only that this is a vital pan-Canadian issue but also that it addresses the political realities of changing governments, province to province.

● (1925)

This bill builds on earlier efforts by a previous Liberal government to ban the export of water from the Great Lakes and freshwater bodies under joint federal-provincial jurisdiction.

*Private Members' Business*

We on this side hold steadfast Canada's water sovereignty, more so in the face of growing calls from conservative-minded bodies to export our fresh water. This is precisely why my colleague, working with the program on water issues at the University of Toronto's Munk School of Global Affairs, has tabled this legislation to close the door to bulk water exports. The time to act is now. Already, conservative think tanks are advocating for the privatization and corporatization of water.

In August 2008, the Montreal Economic Institute published a report that states:

Fresh water is a product whose relative economic value has risen substantially and will keep rising in the coming years. It has become a growing source of wealth and an increasingly worthwhile investment.

Meanwhile, last June the Fraser Institute called for a complete elimination of the provincial statutes and regulations prohibiting the bulk export of water. We should be frightened.

Maude Barlow of the Council of Canadians put it very well when she noted in her book *Blue Covenant*:

Imagine a world in 20 years in which no substantive progress has been made to provide basic water services in the Third World; or to create laws to protect source water and force industry and industrial agriculture to stop polluting water systems; or to curb the mass movement of water by pipeline, tanker, and other diversions, which will have created huge new swaths of desert.

I have said many times in the past that at the dawn of civilization, battles were fought over wells. I am afraid that in the future, if we do not act now, wars will be fought over lakes, and these wars will be much more devastating.

In October, I was pleased to attend in my riding of Guelph a launch for the Wellington Water Watchers' "Walk for Water". The Wellington Water Watchers are not only doing a great job with the preservation, conservation, and restoration of our water resources, but they are tireless advocates and work diligently to increase awareness of the issues surrounding what many would consider our most precious resource. They know very well that water is among the most multi-faceted of public policy issues. It is ubiquitous and cross-jurisdictional. Water touches every aspect of life and society, including the economy. All levels of government are involved in protecting and managing this most precious of our resources.

Water is clearly a fundamental human right. This is a moral fact. No human being can live long without potable water. Contaminated drinking water kills over two million people annually around the world, the majority of them children. A lack of water for sanitation also undermines human health throughout the developing world.

It is our duty to ensure that our fellow human beings, wherever they may live, have affordable access to the water they need. This can be achieved only through conservation and by protecting the quantity and the quality of our water. Among the most complex of all water issues is the recognition and codification in international law of the human right to water.

We are today at the beginning of the road toward meaningful recognition of the right to water. The non-binding resolution adopted by the United Nations General Assembly in July 2010 was a crucial step toward the goal of establishing a human right to water that hopefully can result in all people around the world having access to

water that they require for survival and dignified living. Unfortunately, Canada abstained.

Having one of the largest supplies of fresh water in the world, we must accept our place as a leader on the issue of water conservation and be mindful of the need to protect this valuable resource. Canadians have a real need to preserve our water and respect its place in the environment. Doing nothing leaves us with a clear and present danger of the wholesale movement of water. Protection of our natural resources is imperative.

I urge all my colleagues on both sides of the House to make the preservation of our water resources paramount and to support the bill when it comes to a vote.

• (1930)

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Mr. Speaker, I rise today to speak to Bill C-267, the Canada water preservation act.

This private member's bill seeks to foster the sustainable use of Canada's fresh water, and in particular, to prevent the removal of bulk water from major river basins in Canada.

Canada's New Democrats have long called for a ban on bulk water exports, which we see as a key component of a national water policy that would establish clean drinking water standards and strong environmental protection for Canada's freshwater systems.

While there are parts of the bill which I believe should be addressed and possibly amended at committee stage, I support the bill passing second reading. I encourage my colleagues on both sides of the House to do the same.

It is time for Canada to adopt a ban on bulk water exports. Water is a precious, renewable resource, but this resource has its limits.

While many Canadians may believe that Canada has an overabundance of water, this is a common misconception. If one actually looked at Canada's renewable water supply, one would see that Canada holds 6.5% of the world's renewable fresh water, not the 20% figure that is often touted. Furthermore, Canada ranks well below Brazil and Russia and has approximately the same amount of supply as Indonesia, United States and China.

Over one-quarter of Canadian municipalities have faced water shortages in recent years. While 72% of our country's population is concentrated within 150 kilometres of the United States border, most of our major river systems flow northward, creating a further disparity between supply and demand.

Furthermore, we know that the very real threats posed by climate change will only compound the challenges of managing Canada's renewable fresh water.



*Private Members' Business*

Indeed, the time is now for Canada to formally ban bulk water exports and to firmly oppose the notion that water in its natural state is a tradeable commodity.

For too long our federal government has left the door open to bulk water exports.

Looking back, 1993 was a significant year in the debate over water management. The North American Free Trade Agreement, NAFTA, fundamentally changed Canada's ability to control domestic water policy. For example, under chapter 11, foreign businesses have the ability to sue for damages when they believe they have been harmed by local rules. This is exactly what happened in British Columbia after the provincial government, a New Democrat government, I might add, implemented legislation in 1995 prohibiting the bulk export of water. As a result, under chapter 11, a California-based company filed a claim for \$10.5 billion in damages.

This case highlights the threats posed to Canadian communities, and even democracy, when Canadian water is regarded as a tradeable commodity.

Water has often been up for negotiation under the security and prosperity partnership. There is a strong push toward North American energy integration, which includes water.

In 2007, Canadians were infuriated to learn their government was planning to undertake secret negotiations with the United States on the issue of bulk water exports. Because of the public outcry the government backed down on the negotiations, and the then minister of the environment, the hon. member for Ottawa West—Nepean, stated:

The Government of Canada has no intention of entering into negotiations, behind closed doors or otherwise, regarding the issue of bulk water exports.

I hope this remains the case today, because Canadians are still overwhelmingly opposed to Canada allowing bulk water exports. In fact, 66% of Canadians expressed support for a ban on bulk water exports. This is why in 1999 the House of Commons adopted a New Democrat motion to place an immediate moratorium on bulk water exports and to introduce legislation to formalize a ban.

In 2007 the House adopted an NDP motion calling on the federal government to initiate talks with its American and Mexican counterparts to exclude water from the scope of NAFTA.

In 2010 members of the House will recall that the government introduced its own legislation to ban bulk water exports under Bill C-26. While the bill was inadequate for a number of reasons, it did not progress beyond first reading.

Again, Parliament has an opportunity to formally adopt a ban on bulk water exports. As I have already stated, the time is now. By continuing to leave the door open, we leave our environment, our economy, and most important, our people vulnerable to unnecessary risk.

●(1935)

As Andrew Nikiforuk stated in a 2007 publication, "Exporting water simply means less water at home to create jobs and less water to sustain ecological services provided by rivers and lakes necessary

for life". He talks about the concept of virtual water, which is the water used to support the export of other Canadian products, such as cattle, grain, automobiles, electricity, wood, and of course, oil.

In addition to industrial uses of water, Canadians' personal use must also be taken into account. Unfortunately, Canadians rank as one of the highest per capita users of water in the world. While Canadians have an individual responsibility to limit wasteful consumption of water, this alone is not enough.

As I previously mentioned, over one-quarter of Canadian municipalities have faced water shortages in recent years. Many aboriginal communities in particular have faced immense challenges in securing stable, sufficient access to safe drinking water.

This week the member for Timmins—James Bay drew national attention to the state of emergency declared three weeks ago by the Attawapiskat First Nation. Access to clean drinking water is one of the many grave issues this community faces.

Canada cannot afford to be negotiating the export of our water. It is time to start taking care of Canadians first. This means adopting a national water policy that protects our water from bulk export, that sets clean drinking water standards, and that establishes strong environmental protection of Canada's fresh water.

I call on the government to respect the will of Parliament as expressed in 1999 and 2007, and to respect the opinion of the majority of Canadians by lending its support to the legislation banning the bulk export of water.

Canadians recognize the value of fresh water and are not prepared to allow water to be traded away, as we do with other resources.

I will be voting in support of Bill C-267. I urge all members of the House to do the same, so that it can be given a thorough examination by the Standing Committee on Environment and Sustainable Development.

●(1940)

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, it is my pleasure to rise to speak in support of the bill by my colleague from Lac-Saint-Louis, who very kindly attended my riding of Charlottetown not very long ago. We had a very well-attended town hall on water. This is a very important issue right across the country, from coast to coast. The attendance and the participation at that town hall on water and the diversity of the discussion were testament to that. We also had a screening of the Maude Barlow documentary in my riding to fuel the discussion. This is truly a matter of national interest.

I am interested to hear the Parliamentary Secretary to the Minister of the Environment take the position on behalf of the government, especially considering the stance of the government in the past and, in particular, the Parliamentary Secretary to the Minister of Foreign Affairs.

The government has steadfastly claimed that Canada's fresh water is already well protected from the threat of export under NAFTA. However, the governing party has not always taken that position. The current Parliamentary Secretary to the Minister of Foreign Affairs, the MP for Calgary East, when in opposition, openly argued that NAFTA failed to protect Canada's fresh water from export and that consequently the only way to safeguard Canada's water sovereignty was to reopen the agreement to include a blanket exemption for water.

Specifically, speaking to a debate on Bill C-15, which is the predecessor to Bill C-6 on boundary waters, on October 20, 2000 in the House of Commons, the current Parliamentary Secretary to the Minister of Foreign Affairs said:

The Canadian Alliance believes that Canadians should retain control over our water resources and supports exempting water from our international agreements, including NAFTA.

He reiterated those comments during subsequent debate on Bill C-6, on April 26, 2001.

In another policy reversal, the Conservative government, after previously arguing that Canada's water was sufficiently protected from the threat of export, announced in its November 2008 throne speech that it would bring in legislation to ban all bulk water transfers or exports from Canadian freshwater basins. As an earlier incarnation of Bill C-267, already tabled as a Liberal private member's bill, the government possessed a model for its own subsequent legislation.

However, in May 2010, it opted instead to introduce Bill C-26, again to borrow the pun used by my friend, a watered-down legislation that only addressed bulk removals from transboundary waters. According to water policy experts at the Program On Water Issues at the University of Toronto's Munk Centre for International Studies, while Bill C-26 effectively prohibits most bulk removals of water from transboundary rivers, it does not address the most plausible threat to Canadian water resources from inter-basin transfers.

As a practical matter, it seemed highly unlikely that Canadian water resources would be threatened significantly by proposals to remove water from a transboundary basin within Canada. The more likely scenario would be the transfer of Canadian waters from a basin that was neither a boundary nor a transboundary water into a transboundary river flowing from Canada into the United States for export to the United States. Such proposals would not be prohibited under the legislation.

Additionally, the definition of "transboundary waters" in the IBWTA, the International Boundary Waters Treaty Act, is narrow. It refers only to waters flowing in their natural channels across the border. It does not include other means of accomplishing inter-basin transfers across the international border, for example, a pipeline or a canal from waters that are neither boundary waters nor transboundary waters.

• (1945)

While a transborder pipeline from transboundary waters would fall under the prohibitions, as a practical matter, it is difficult to conceive a scenario involving a proposal to divert water by pipeline

### *Private Members' Business*

from a transboundary river in Canada southward to the United States.

The environmental justification for this bill can really be summarized with three main arguments. In essence, this bill aims to limit the manipulation of surface water in order to protect the environment. For many, however, the question will be why we must prohibit, for environmental reasons, large scale interbasin water transfers. It is because of the Conservatives' many reversals of policy on bulk water exports. If it were a gymnast, we would be forced to give it a 10 out of 10 for its skilful and repeated flips on the issue.

Ecosystems need freshwater to survive and be healthy. The International Boreal Conservation Science panel, composed of leading scientists from Canada and the U.S., has said:

Canada has the unrivalled opportunity to protect the world's largest intact freshwater ecosystem and the responsibility to enact sound conservation and sustainable development policy to safeguard the boreal forest.

A recent report by the panel stated:

...more water diversion occurs in Canada than in any other country in the world. ... with significant impacts to wildlife, the ecology and aboriginal communities.

Many argue that it is time for Canada to inventory its water resources to better gauge the amount of its renewable water supply is "surplus" and available for sale. However, this may be easier said than done.

Brian Anderson states:

Scientists have only begun to understand the complexity of the world's largest freshwater ecosystems. Interactions between man, current diversions, and the tangled web of life dependent on these ecosystems may be imperilled by large diversions of lake water.

Similarly, the Council on Hemispheric Affairs points out that the replacement rate of water reserves is impossible to calculate, making it more difficult to know how much water Canada could afford to sell abroad, putting aside the negative environmental impacts of taking water outside its basin.

In summary, the Canada water preservation act prohibits the removal of freshwater in bulk, which is defined as over 50,000 litres a day from one aquatic basin in Canada to another. The interbasin transfer of water by any means, including but not limited to pipeline, tunnel, canal, aqueduct or water bag, would be prohibited.

Basin contours would be negotiated with the provinces and territories and be included in subsequent regulations. This bill adopts an environmental approach to banning bulk water exports. It is primarily concerned with ensuring the health of ecosystems and preventing the spread of invasive species that can occur when water is transferred outside its home basin. The bill prevents water from being moved from one basin to another within Canada and eventually outside the country for export. It does not apply to boundary waters as defined under the International Boundary Waters Treaty Act that I referred to earlier.

I support the efforts of my friend from Lac-Saint-Louis on this important matter. It is something that we hear frequently from our constituents about. I would urge all members of the House to support this bill as well.



*Adjournment Proceedings*

• (1950)

**Ms. Joyce Murray (Vancouver Quadra, Lib.):** Mr. Speaker, I am pleased to rise and speak in favour of Bill C-267, an act respecting the preservation of Canada's water resources.

I congratulate my colleague from Lac-Saint-Louis. He is a pioneer and a driver of the issue of protecting Canada's water.

We sometimes take water for granted. We can turn on a tap and access clean and abundant water. We have the impression that Canada is a vast country with the best freshwater supply on the planet. We need to fight to ensure those things are true. The member for Lac-Saint-Louis has made members in Parliament and people in his riding and across Canada aware of the fact that we cannot rest assured that our water supply is safe.

The member for Charlottetown spoke very convincingly about the bill. He understands and has explained the elements of it. I will take a different approach in my remarks this evening.

I want to reflect on the words of one of our premier water experts in Canada, Dr. Karen Bakker, who is a professor at the University of British Columbia in my riding, and also the editor and partial author of *Eau Canada*. Dr. Bakker spoke in Vancouver Quadra recently about our myths about Canada's water. I have spoken about that before, but it is worth repeating because this is the century of water.

In this 21st century humanity needs to pay attention to the fact that water is a top concern. There are enormous threats to our water, everything from climate change to industrial use to overuse. Complacency is the biggest threat. Dr. Bakker talked about the myths about water, that we do not need to be concerned about it. I have referred to those myths in speeches before.

I want to acknowledge my colleague for being clear that water is one of the top threatened resources that cannot be replaced in any other way and that we must protect it. This bill is important in that regard.

**The Acting Speaker (Mr. Bruce Stanton):** The hon. member for Vancouver Quadra will have seven minutes remaining when the House next takes up this bill.

The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

## ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

• (1955)

[English]

### FISHERIES AND OCEANS

**Ms. Judy Foote (Random—Burin—St. George's, Lib.):** Mr. Speaker, I am rising tonight to speak to the issue of what is happening within the Department of Fisheries and Oceans and a question I put to the minister on Monday, October 17, with respect to trying to get a handle on exactly what is being proposed in the

Department of Fisheries and Oceans with respect to cuts and the implication these cuts have, not only in terms of the department itself but also to the industry as a whole.

The question I put to the Minister of Fisheries and Oceans at the time had to do with the fact that Conservatives were shutting down the Fisheries Resource Conservation Council and closing down the Maritime Rescue Sub-Centre in St. John's, doing away with any in-depth science and research and really not moving forward in getting input from fishers, who really should be involved in these decisions because they are the experts and can bring so much to the debate with respect to the future of the industry.

The decision to shut down the Fisheries Resource Conservation Council will mean the loss of important science and the loss of that invaluable input from our fishers. Both are essential in rebuilding our fishery.

The Conservatives recklessly shut down the FRCC, the advisory council that was created with a goal of partnering scientific and academic expertise with an open and comprehensive consultation process with stakeholders.

Through this reckless decision, the government has chosen to willfully ignore the experience of fishers in developing Fisheries and Oceans policy. Deliberating sidelining the very experts who fish daily disrespects the years of successful evidence-based partnership between the government and fishers. Under the former Liberal government, the Fisheries Resource Conservation Council focused on long-term conservation strategies. Newfoundlanders and Labradorians know best that conservation is an integral aspect of fisheries policy and essential to ensuring the fishing industry's continued success.

The FRCC ensures that fishers' advice and knowledge would be considered in the council's recommendations. Clearly, the Conservative government does not see the value in listening to the experts on the water and their advice with respect to conserving our fish stocks to protect the fishing industry.

The fisheries minister continues to speak out of both sides of his mouth with respect to this issue. He and his government claim they support fisheries science, yet every decision they make, including closing down the FRCC, represents a direct attack on science.

First the Minister of Fisheries and Oceans risked the lives of those who use the sea to make a living, including fishers and those who work in the oil industry, by recklessly taking a decision that will close the Maritime Rescue Sub-Centre in St. John's. Now he wants to take the fishers out of the industry. His reference to an industry that is "probably broken" really speaks volumes in terms of where the minister is. He needs to get his head around the industry itself and how best to move forward to rebuild the industry.

The whole idea of cutting a council like the FRCC, the whole idea of not engaging scientists and the whole idea of not engaging fishers in particular speak volumes in terms of the handle that the minister and the government have on the industry. It is a resource-based industry and a renewable industry. If it is given the proper leadership and if we work with all of the stakeholders and partners in the industry, we can rebuild it, but at this point in time, I am again calling on the government to look at what it is doing in terms of the cuts it is making within the Department of Fisheries and Oceans.

**Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans and for the Asia-Pacific Gateway, CPC):** Mr. Speaker, I always welcome the interventions from my colleague, the member for Random—Burin—St. George's. She works hard for her constituents.

I appreciate the opportunity to respond and outline for the House how Fisheries and Oceans Canada is moving forward with improvements on how the department operates, where it deploys its resources and how it manages its science and regulatory duties. Together these changes will transform the department, helping it to more effectively deliver on its mandate and drive new approaches that respond to current and future needs.

The hon. member has raised specific concerns about the closure of the Fisheries Resource Conservation Council. I will respond to that for a moment or two.

As the member knows, the council was founded in the early 1990s in the wake of fishery closures in Newfoundland, starting with northern cod in 1992. In the past, it provided advice to the department and to the Minister of Fisheries and Oceans. However, proactive stakeholder engagement is now a permanent feature of the department's policy and program development. In fact, since his appointment, the Minister of Fisheries and Oceans has travelled to every corner of our country to meet with those directly involved in the industry and hear first-hand how the government can support its economic growth.

Additionally, the department has established strong sustainability frameworks and consultative processes for managing important species, which means that much of the work that the council has done is no longer required.

We have a responsibility to spend taxpayer money prudently and where it will do the most good. I hope my colleague will agree with this idea. We must ensure that government programs are efficient and effective and that they achieve the expected results for Canadians.

In fact, it has been nearly two decades since the Government of Canada conducted a comprehensive system-wide review of all operating and program spending. Given the current financial environment globally, within Canada and within government, it makes sense to carefully assess all expenditures and, if warranted, set a new direction.

Deficit reduction is an opportunity for renewal and transformation; we need to take advantage of this opportunity to take a hard look at ourselves to find better ways to do things, and that is what we have been doing.

Like all departments of government, we want and need to emerge from this review process as a stronger, higher-performing institution

### *Adjournment Proceedings*

that is nimble, connected, engaged and ready to face new challenges. We need to ensure that the services we are delivering meet the many new demands of the 21st century.

We have been focusing on what our core business should be. The effects of this process in the long term will be positive, helping us to improve the quality and relevance of our programs.

While the FRCC has historically served an important role, activities have been replaced by other approaches. Contrary to the hon. member's claim that we are gutting the department, we are in fact bolstering it through sound financial decisions. Over the past five years, the department's budget has increased by 20% from \$1.4 billion in 2005-06 to \$1.8 billion in 2011-12. Our government also injected over \$440 million through Canada's economic action plan for the department to complete repairs in small craft harbours and other projects.

Canadians will continue to see changes in how the department operates over the next several years, but I can assure the House and this member that our decisions will follow discussions with affected stakeholders to ensure transition occurs sensitively and sensibly. The department's business and practices will be characterized by clear rules consistently applied, bringing predictability and stability to stakeholders.

• (2000)

**Ms. Judy Foote:** Mr. Speaker, I thank the parliamentary secretary for his acknowledgement at the outset that I do indeed work hard on behalf of my constituents. That is a different tune from when I put the question a couple of weeks ago.

What really concerns me are the bodies such as the Canadian Marine Advisory Council. This is a consultative body to Transport Canada. It is consulted on anything to do with marine activity. However, we had a meeting here in Ottawa a couple of weeks ago, and a petition was signed by close to 100 members of that body saying that the decision to close the Maritime Rescue Sub-Centre in St. John's was the wrong decision. They were not consulted on that, yet here we have a marine entity that is being shut down, and that puts people's lives at risk.

If the member is saying that the minister is travelling around getting input from stakeholders, how is it that the very body that is responsible for providing advice on anything marine was not even consulted on a decision as major as closing down a rescue centre?

• (2005)

**Mr. Randy Kamp:** Mr. Speaker, the member does work hard on behalf of her constituents, but I think on this issue she has it wrong.

We are implementing changes that will enable us to advance our goals for a viable market group and business oriented and sustainable Canadian fishing industry, safe and acceptable waterways and effectively managed and protected aquatic ecosystems. If she really wanted to work hard on behalf of her constituents, she would join us in this work.



*Adjournment Proceedings*

We are focusing fully on our core mandate. We are modernizing our program and policy approaches, and we are transforming how we do business on behalf of Canadians.

Focusing on the future is the only option. We cannot afford to continue with the old way of doing business. We are committed to ensuring that government programs are efficient, effective and achieving expected results for Canadians.

## FOREIGN AFFAIRS

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, on June 16, more than five months ago, I asked the Minister of Foreign Affairs a direct and straightforward question: When did he or his government intend to begin doing their job and secure the release of New Brunswick potato farmer, Hank Tepper? Mr. Tepper has been held by the Government of Lebanon, on behalf of the Algerian government, in a Lebanese prison. He has been there since March of this year.

For eight months he has been jailed in that Lebanese prison. What has he been accused of? A load of potatoes he was exporting to Algeria was found to have ring rot. It is really because of a commercial transaction that he sits in a Lebanese jail.

Mr. Tepper has been involved in the export of potatoes for a number of years. His livelihood depends on his exporting the highest quality potatoes he can.

Every MP in this place, on this side of the House or on the other side, who represents a rural riding with farmers involved in the export business has been asked to intervene from time to time when something goes wrong in a distant port or destination, or with quality, or a ship is stopped at a dock, and politics takes over. However, one would never know that by the government's behaviour in this case.

The role of this government, or any government, is to defend Canadian citizens aggressively, diligently and without reservation. In this case, the Government of Canada has failed and failed absolutely. Every farmer involved in the export business of his or her products abroad should pay careful attention to the inaction of the government in this case. In fact, every Canadian should be worried. If someone travels on foreign soil and gets into trouble and carries Canadian citizenship, is the government going to be there for that person when he or she needs it? We have seen example after example, and this is a prime one, where the government has basically left people on their own. That is not what we expect from the Government of Canada.

From the beginning of this sorry matter the government has maintained a deafening silence. The Department of Foreign Affairs, beginning with the minister, has decided to leave Mr. Tepper to his fate. The Prime Minister is more concerned, it seems, about getting a photo op with the United States president than ensuring that a Canadian citizen has the benefit of the aid his office could provide by contacting the Lebanese authorities directly.

While the government and its MPs, especially those representing rural ridings, sit on their hands, Hank Tepper's neighbours have demonstrated their support once again. A rally in Grand Falls, New Brunswick was attended by more than 400 people, all there to support Mr. Tepper and his family. It was pointed out during that rally that the Conservative government was quite prepared to intervene in the internal affairs of Libya, yet it refused to intervene

with a serious diplomatic initiative on behalf of this Canadian citizen detained in a country that has not accused him of anything, other than it doing the work for Algeria over this commercial involvement.

I ask the parliamentary secretary, when is the ambassador going to show up at the door, or when is the Minister of Foreign Affairs going to show up at the door in Lebanon and demand that Mr. Tepper be brought home to Canada and, if necessary, face justice here?

• (2010)

**Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC):** Mr. Speaker, this government remains concerned and active in Mr. Tepper's case. We know this is a very difficult situation for Mr. Tepper and his family. I understand the concerns raised by the member across. However, due to privacy concerns, I cannot share details of Mr. Tepper's case.

The responsibility to provide consular services to Canadians detained abroad rests with Foreign Affairs and International Trade. Since first learning of the arrest and detention of Mr. Henk Tepper in March 2011, the department's consular officials, both in Beirut and Ottawa, have provided Mr. Tepper with continued assistance and support as per the department's established service standards. This includes conducting regular visits to Mr. Tepper in custody, monitoring his health and well-being and maintaining regular contact with Mr. Tepper's lawyers in Lebanon. Consular officials in Ottawa are also in contact with Mr. Tepper's family in Canada and are providing assistance as required. Moreover, Canadian officials have been engaged with senior Lebanese officials on this case.

It is important to underline that the Government of Canada cannot interfere with the judicial process, including extradition proceedings, of a sovereign country, just as we would not accept it if a foreign country interfered in our own judicial process. The member across was in the government and he is very well aware of this.

The simple fact is that Canadian citizens are not exempt from local and international laws by virtue of their Canadian citizenship. The Government of Canada cannot override the decisions of the local and international authorities. What Canada can do is provide effective and appropriate consular services to those detained abroad. Canada's consular services are provided 24 hours a day, 7 days a week through a network of more than 200 offices in over 150 countries around the world. Currently, there are close to 2,000 Canadians detained abroad.

Under the Vienna Convention, Canadians who are detained abroad must be advised by foreign authorities of their right to consular assistance and notification. Our aim is to make initial contact with a detained Canadian within 24 hours. In the case of Mr. Tepper, as I have outlined, we have been assisting him in this case.

Therefore, the role of the Government of Canada, as in the case of Mr. Tepper, as in all cases of detention abroad, is to ensure that he is safe, treated fairly and afforded due process within the local laws and international laws.

*Adjournment Proceedings*

**Hon. Wayne Easter:** Mr. Speaker, if anybody has not been granted due process, it is Mr. Tepper. The parliamentary secretary says that the government remains concerned. That is not good enough. The parliamentary secretary says that consular services are involved. That is not good enough.

What needs to happen is an initiative from the highest reaches of the Canadian government to ensure that Mr. Tepper is brought home. The parliamentary secretary said that I should know that the government cannot get involved in legal matters in that country. I understand that, but the Minister of Foreign Affairs or the Prime Minister can make a phone call directly to the government of Lebanon to bring this man back home. They can do that.

For the government to basically leave a man on his own, a Canadian citizen, over a commercial transaction is absolutely wrong. The government can, indeed, do better.

**Mr. Deepak Obhrai:** Mr. Speaker, as I have just said, due to privacy concerns I cannot give any details of this case. However, I can tell the hon. member that we are, as I have stated, in contact with Lebanese officials at the highest level, from Canada as well, asking for a fair and transparent system.

As he has said, it is important to understand that we cannot interfere with the judicial process. However, I can assure him and Mr. Tepper's family that this government will be completely engaged on this file.

*[Translation]*

**The Acting Speaker (Mr. Bruce Stanton):** The motion to adjourn the House is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 8:14 p.m.)

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HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA



# House of Commons Debates

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VOLUME 146 • NUMBER 053 • 1st SESSION • 41st PARLIAMENT

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OFFICIAL REPORT  
(HANSARD)

**Thursday, November 24, 2011**

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**Speaker: The Honourable Andrew Scheer**



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# HOUSE OF COMMONS

Thursday, November 24, 2011

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

● (1005)

[English]

### COMMITTEES OF THE HOUSE

#### JUSTICE AND HUMAN RIGHTS

**Mr. Dave MacKenzie (Oxford, CPC):** Madam Speaker, I have the honour to present, in both official languages, the second report of the Standing Committee on Justice and Human Rights in relation to Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts.

\* \* \*

#### NATIONAL STRATEGY FOR DEMENTIA ACT

**Mr. Claude Gravelle (Nickel Belt, NDP)** moved for leave to introduce Bill C-356, An Act respecting a National Strategy for Dementia.

He said: Madam Speaker, I am honoured today to introduce my bill, an act respecting a national strategy for dementia.

The bill has its roots in my own family's experience with my mother. Long before her death at 83, in 2003, she began struggling with obvious memory loss. What started with forgetting things on the stove and forgetting appointments got worse by forgetting meds, forgetting language, changes in mood, loss of initiative and aggressive behaviour.

My father, sisters and wife learned the overwhelming challenges of being her caregiver.

My mom is not alone. Over 500,000 Canadians suffer from Alzheimer's disease and other related dementia. An estimated 1.1 million Canadians will have these diseases within a generation.

My bill would develop a comprehensive national plan to address all aspects of Alzheimer's disease and other dementia. It would

encourage more research, prevention and specific help for caregivers.

I know a national dementia strategy is a non-partisan issue. I urge all MPs from all parties to help make this bill the law of our land.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

#### CANADA PENSION PLAN

**Ms. Chris Charlton (Hamilton Mountain, NDP)** moved for leave to introduce Bill C-357, An Act to amend the Canada Pension Plan (arrear of benefits).

She said: Madam Speaker, these last few years have been incredibly difficult for seniors. They have worked hard all their lives and played by the rules. However, now their retirement savings are threatened through no fault of their own by downturns in the economy and employers who are trying to avoid their pension obligations.

The least we can do as legislators is to ensure that the money to which seniors are entitled through government pensions will be there for them in their retirement. That is why I am introducing legislation today that would allow for full retroactive benefits plus interest when someone applies late for benefits under the Canada pension plan.

The CPP is a pay-as-you-go contribution-based program that is funded solely by employers and employees. It is absurd that a person who is late in applying for his or her pension under the CPP is only entitled to 11 months of retroactive benefits. It is not the government's money.

This bill would put an end to this insufficient and unfair period of retroactivity, and would do the same for disability pensions or a survivor's pension and a disabled contributor's child benefit. This is something that should and could have been corrected long ago.

I urge all members to support this important bill today. By definition, seniors do not have a lifetime to wait.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

#### STELCO INC. ACQUISITION ACT

**Ms. Chris Charlton (Hamilton Mountain, NDP)** moved for leave to introduce Bill C-358, An Act respecting the acquisition of Stelco Inc. by the United States Steel Corporation.



*Routine Proceedings*

She said: Madam Speaker, I am pleased to rise in the House today to introduce a bill regarding the acquisition of Stelco Inc. by the United States Steel Corporation.

U.S. Steel acquired Stelco in 2007, but it was not long after that the Government of Canada had to take U.S. Steel to court for failing to live up to the employment and production commitments made by the company under the Investment Canada Act.

I have raised issues related to U.S. Steel on numerous occasions in this House. I have raised the lockout of members of USW Local 1005, the denial of pension indexation for Stelco retirees, access to EI benefits for the locked out workers, and of course the inadequacy of the Investment Canada Act in protecting Canadian interests in this foreign takeover.

Sadly, it has been impossible to get full accountability because the agreement signed between U.S. Steel and the Government of Canada has never been made available publicly.

It is for that reason I am introducing this bill today. It would require the Government of Canada to publish all written undertakings given in the right of Canada under the Investment Canada Act in respect to the acquisition of U.S. Steel.

Furthermore, it would require the publication of all correspondence between the minister and the company regarding the enforcement of this agreement.

The Investment Canada Act demands that a foreign takeover have a net public benefit, but the public is being kept in the dark. That is simply not good enough. That is why my bill would finally bring accountability into the light of day.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

• (1010)

**PETITIONS****HEALTH OF ANIMALS ACT**

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Madam Speaker, I have a petition supporting my private member's bill, Bill C-322.

The petitioners, primarily from Saskatchewan, say that horses are ordinarily kept and treated as sport and companion animals. They are not raised primarily as food processing animals, and they are commonly administered drugs that are strictly prohibited from being used at any time in the food chain, and I would like to emphasize that. The drug, which is phenylbutazone, is administered to probably about 80% of the horses on this continent. Once that drug is introduced, that animal is no longer fit for human consumption.

The petitioners call upon the House of Commons to bring forward and adopt Bill C-322, An Act to amend the Health of Animals Act and the Meat Inspection Act, thus prohibiting the importation or exportation of horses for slaughter for human consumption as well as horse meat products for human consumption.

**ASBESTOS**

**Mr. Pat Martin (Winnipeg Centre, NDP):** Madam Speaker, I am proud to rise today to present a petition signed by literally

thousands of Canadians from all across Canada who call upon Parliament to take note that asbestos is the greatest industrial killer that the world has ever known and that more Canadians now die from asbestos than all other industrial or occupational causes combined.

They point out that Canada remains one of the largest producers and exporters of asbestos in the world and spends millions of dollars subsidizing the asbestos industry, both domestically and abroad.

Therefore, these petitioners call upon Parliament to ban asbestos in all of its forms and institute a just transition program for asbestos workers and the communities in which they live; to end all government subsidies of asbestos, both in Canada and abroad; and to stop blocking international health and safety conventions designed to protect workers from asbestos, such as the Rotterdam convention.

**JUSTICE**

**Mr. Glenn Thibeault (Sudbury, NDP):** Madam Speaker, I am pleased to rise today to introduce two petitions.

The first one is signed by hundreds of individuals from my riding and my area in support of an aboriginal man whom they believe to be wrongly convicted.

It speaks to a Mr. John Moore, who was accused and convicted of second degree murder in a case where the Crown agreed he was nowhere near the scene of the crime and the trial determined he played no part in the crime.

As Mr. Moore was convicted in 1979 by an all white jury, which resulted in a 10 year prison sentence and a lifetime on parole, the undersigned in this petition call on the government to recognize that this was a wrongful conviction, overturn the conviction and enter an acquittal.

**ANIMAL CRUELTY**

**Mr. Glenn Thibeault (Sudbury, NDP):** Madam Speaker, the second petition wants the Criminal Code and provisions within the Criminal Code to be strengthened to prevent animal cruelty.

The petitioners believe the current laws are inadequate to prevent animal cruelty and that the Criminal Code provisions on animal cruelty have not changed much since 1892. The undersigned call on the government to present legislation to increase penalties for animal cruelty under the new section of the Criminal Code, extending protection to all vertebrate animals and limiting the slaughter of stray and wild animals without lawful intent.

**EMPLOYMENT INSURANCE**

**Mr. Mark Warawa (Langley, CPC):** Madam Speaker, I am honoured to present a petition from a number of constituents in the Fraser Valley.

There are a number of severe potentially life-threatening conditions that do not qualify for disability programs because they are not necessarily permanent. Therefore, the petitioners call upon the House of Commons to adopt legislation that would provide additional medical EI benefits at least equal to maternity EI benefits.

\* \* \*

#### QUESTIONS PASSED AS ORDERS FOR RETURNS

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Madam Speaker, if Question No. 176 could be made an order for return, this return would be tabled immediately.

**The Deputy Speaker:** Is that agreed?

**Some hon. members:** Agreed.

[Text]

Question No. 176—**Mr. Scott Andrews:**

With regard to the Fishery (General) Regulations, SOR/93-53, under the Fisheries Act, R.S.C. 1985, c. F-14 in the Province of Newfoundland and Labrador: (a) how many infractions such as charges and warnings have been issued since 2007, pursuant to section 22 of the above noted regulations, identifying those infractions pursuant to section 22(7) of the above noted regulations; and (b) what is the breakdown of the Northwest Atlantic Fisheries Organisation (NAFO) Fishing Areas in which each of the above noted charges were issued in the Province of Newfoundland and Labrador?

(Return tabled)

● (1015)

[English]

**Mr. Tom Lukiwski:** Madam Speaker, I ask that all remaining questions be allowed to stand.

**The Deputy Speaker:** Is that agreed?

**Some hon. members:** Agreed.

### GOVERNMENT ORDERS

[Translation]

#### COPYRIGHT MODERNIZATION ACT

The House resumed from November 22 consideration of the motion that Bill C-11, An Act to amend the Copyright Act, be read the second time and referred to a committee, and of the amendment.

**The Deputy Speaker:** Resuming debate. The member for Richmond—Arthabaska has five minutes remaining for questions and comments.

[English]

**Mr. Pat Martin (Winnipeg Centre, NDP):** Madam Speaker, I am interested in the views of my colleague from the Bloc Québécois that were laid out for us when Bill C-11 was being debated the last time in the House of Commons.

I understand from his remarks that he disagrees profoundly with the federal government in its treatment of the copyright legislation. He believes that Bill C-11 is riddled with flaws from one end to the other. In fact, there is very little merit in the bill whatsoever. It would require a great deal more analysis and study before we could safely

#### Government Orders

say that it would be ready to be implemented as such a critically important piece of regulatory legislation to govern and guide something as important as copyright in this country.

I would like my colleague, in the few moments he has left, to expand and summarize for Canadians the legitimate reservations he has about this legislation.

[Translation]

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Madam Speaker, I thank my colleague. Indeed, that is what my recent speech was about. That is also what the Bloc Québécois has noticed, along with creators in Quebec, in particular.

Almost a year ago, on November 30, 2010, 100 or so artists came here to the House of Commons. The member for Winnipeg Centre perhaps met a few of them. They told us that Bill C-32 at the time—now Bill C-11, which is a carbon copy of that bill—made it possible for some people to take works belonging to creators and artists without their being compensated for their work. No one here in this House would want to work for free.

Furthermore, when artists are not compensated for their work, they do not have the motivation or ability to continue to create more works. It is not only artists who are penalized, but also consumers, because they will lose the artists they love if those artists are not compensated for their work.

The current bill allows just that. The bill does not acknowledge that there are new technologies that allow people to copy music without compensating the artists. At the time, when we had blank cassettes and CDs, the artists received a levy. That is not done with iPods and MP3 players. That is a huge flaw in this bill.

[English]

**Mr. Glenn Thibeault (Sudbury, NDP):** Madam Speaker, specifically in northern regions like mine, we are concerned about the concept of digital locks and how that would reflect on distance education. I have three post-secondary institutions in my riding. I would like to hear the member's comments on digital locks inhibiting distance learning and the education process.

[Translation]

**Mr. André Bellavance:** Madam Speaker, that will definitely be the case. I would like to thank the hon. member for his question. We recently met with university students who spoke to us about this issue. Not only will the bill harm creators and artists, but it will help large corporations use digital locks. That will keep people at home from transferring music—or electronic versions of other things like books, etc.—that they purchased legally on the Internet or elsewhere. These things would no longer be transferable because of the infamous digital locks.



*Government Orders*

What this bill does not do is fairly compensate creators. The bill also harms the education system by solely favouring large corporations. In responding to questions, the minister often lists a group of companies that support Bill C-11. And we see that as a serious problem. We cannot accept this bill as is. More and more people are seeing that it is full of flaws.

• (1020)

[English]

**Mr. Malcolm Allen (Welland, NDP):** Madam Speaker, I am pleased to rise in the debate on the Copyright Act.

First, I will congratulate my good friend and colleague, the member for Timmins—James Bay, who has been working on copyright legislation for, I think, the last three Parliaments, and trying to find a way to find a balance.

It truly is a balance between those of us who are consumers and those who are creators. I must admit that I am only a consumer of materials not a creator. I can neither write songs nor do I write poetry. The members who have been in the House when I sing “O Canada” probably recognize that I do not sing that well either, at least not well enough that someone would pay for it.

However, there are many folks across our great land who are indeed creators. They write, make movies, create music and do it wonderfully well and want to engage in it as a career. They want it to be their life's work and deserve to be remunerated by that life's work. I think all hon. members would agree that they deserve that. The difficulty with the act is that it does not address those Canadian creators in a significant way that would help compensate them for all of the hard work that they do, because, indeed, it is hard work.

I do have the good fortune of having a younger brother who is a creator. He writes music and does it very well. He deserves to be compensated if that work is put on the market and sold or copyrighted. He deserves some sense of remuneration for that.

We saw in the past, levies on cassettes. I betray my age when I talk about cassettes because they are what one might consider to be the dinosaurs of the technology age, let alone eight-tracks and reel-to-reel. That would really betray our age for those of us who had a reel-to-reel tape recorder.

We have been copyrighting other folks' work for a long time. That is how we give remuneration back to those individuals who create it. It is important because we want them to continue to do the things they have done in the past, which is create new works to entertain us, because that is really what they do when we buy that material, whether it be music, a book, a movie or whatever form it happens to be. The reason we want to consume it is for personal enjoyment. If those creators are not remunerated, we will not be the beneficiaries of that entertainment because it will stop. We will lose that creative class.

That reminds me of professor Richard Florida, who is an American but who has been in Toronto for a number of years now. He wrote a report about seven years ago about the creative class and what it meant to the economy and how we could have creative class clusters. He actually used my old hometown of Glasgow as being one of the new European creative class enterprises. He talked about literally hundreds of billions of dollars

of economic spinoff from the creative class. When I thought about it, it dawned on me that it was more. In Glasgow, it was the opera house. We had all these wonderful performers from around the world who sang tremendously well. Looking at the stage, one would think maybe there were 40 performers. That is probably a high number. We might wonder what the economic spinoff of that would be until we think about set design, which carpenters needed to do; lighting, which electricians needed to do; costume design required designers and the folks who make the costumes; and it goes on and on. Therefore, when we look at that creative class and the opportunities for economic development from that, it is one of the key things the government continues to talk about.

There is no question that this world has a fragile economy. Members understand that on that side, as this side does as well. One would think that we would not want to impinge upon a piece of society that can generate economic activity for us.

• (1025)

Denying creators an opportunity to make a living is clearly what will happen. I heard that in the previous Parliament when I had artists coming to me and talking to me about the previous bill, which was very much like this one. They talked about how the bill did not address the needs of Canadian creators.

Our legislation should be written for us, Canadian consumers and the creators of that particular piece of work, whatever it happens to be. However, it would seem that there are pieces in this legislation that are being driven by large movie producers in the United States. That does not benefit Canadian creators. That is not helping our folks who are actually engaged in this work.

Why do I say that? Well, it really hinges on one piece of the legislation, and that is what is called a “digital lock”. For some of us, digital locks seem like an odd thing. We understand the idea of a padlock. I think those of us in the 40th Parliament understood padlocks well. There was one on the front door here when the government prorogued on numerous occasions. I remember the Parliament being prorogued and the padlock being on that door more than once.

If we are equating the digital lock to prorogation in this House, where we padlocked the people's House, that is not a good thing. If we are equating digital locks to what we have seen in Parliament with time allocation and closure, that is not a good thing.

The creators are telling us that the digital lock is not for their protection and is not for ensuring they can go forward in creating new works and making a living at it.

Are we asking the creators to get a second or third job instead of simply doing the work that is in their very soul? When they create works, when they write songs or poetry or novels, it comes from deep within them. Are we going to send them off to work three shifts some place and tell them to write the book at some other time or in their spare time at night, because we will not be helping them to protect their work and get remunerated?

*Government Orders*

If we are headed down that road, I do not know why we do not just take patents off medicines. We could say that it is for the general public good and we should all get them without having to give compensation to the folks who actually have the patent. That is what we are saying about creators, that they are not allowed to patent their music. Creators ought to be able to keep it copyrighted and find a way to make a living at it because that is really what they are trying to do.

The digital locks are insidious. Young folks today, as many of us know, are extremely adept at using the digital world. Some would argue that they are better at it than us. When I say us, I mean folks who look more like me, who are somewhat mature and who do not necessarily know how the digital world works. I will freely admit that I could not transfer music from the computer to an iPod or from an iPod to an MP3. I could not do that in four months of Sundays. I do not have the faintest idea of how to do that.

I am sure I could probably learn but it is not something that I necessarily want to do. My goodness, if I were to sit down with my young nephew, who I think is about nine now, he would certainly know. It is amazing how young folks know how to do work in this digital world in such a fashion that it betrays the actual age that they are.

Ultimately, we need copyright legislation that balances us as consumers and those who are creators. We on this side of the House want to help the government with amendments to make that happen. Our copyright legislation, as it stands today, is archaic and it needs to be changed. We, on this side of the House, are willing to help the government. Many times the Prime Minister has said that if we have good ideas we should put them on the table. What we are saying to the government is that we have some brilliant ideas and all it needs to do is listen to those ideas and then put them in the legislation. We would then have a copyright act that acts on behalf of creators and consumers, and that would help Canadians across the board from coast to coast to coast.

• (1030)

[Translation]

**Mr. Marc-André Morin (Laurentides—Labelle, NDP):** Madam Speaker, my colleague clearly explained the challenges facing creators, yet I see no reaction from the other side of the House. It defies all logic.

Are there not major economic interests behind this? For example, in the negotiations between Canada and the United States, if we offer enormous concessions to the Americans regarding copyright and distribution of cultural products in general, we might get some crumbs in return. I see no other logic behind this bill, because there is nothing in it to protect creators. This bill only protects businesses that deal in cultural products, particularly large American and multinational corporations.

[English]

**Mr. Malcolm Allen:** Madam Speaker, my colleague is absolutely right. This is about an economic interest that comes from abroad. It does not necessarily come from inside this country because if it did, we would reward creators. If we want to drive this economy and actually put some oomph into it, so to speak, we would make sure our creators were rewarded so that they could continue to do what

they do and generate economic activity. There is a reason why movie studios in Quebec, Ontario and British Columbia are competing north-south as well as east-west. It is because of the large number of dollars. Why would we want to give it away?

My hon. colleague's comments reminded me of the softwood lumber deal. We made a deal with the U.S. on softwood lumber and we have been paying ever since. We thought we got a deal and we got less than crumbs. We seem to get fined all the time. We always seem to be the ones at the bottom.

If we are not going to fight for our own creators, who will? If we are not going to stand up for the creative class in this country, who write for us, perform for us, produce the things we love to see, hear and read, who will? It certainly will not be the Americans. They will be happy to sell their stuff to us. They will not be so happy about us selling to them. The group of Canadian performers and writers will diminish when they end up having to work in other fields because they cannot make a living doing the very things they are passionate about.

**Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.):** Madam Speaker, the member spoke about his brother being a creator and making a living. I would like to know how much of a living he makes. He must be making millions and billions of dollars. That is the impression of most Canadians. Every time we see entertainers, all we talk about is how many millions and billions of dollars they make, but we do not talk about the 90% of creators who actually do not make any money. Perhaps he could speak about that.

At the same time what we have to remember is the consumers' interest in all of this. What is the balance? How do we balance between making sure creators continue to create and consumers continue to have products available to them?

• (1035)

**Mr. Malcolm Allen:** Madam Speaker, my brother is a graphic designer by profession. The member is absolutely right. He is part of the 90% who cannot make a living creating music, even though he has written hundreds of songs and sent them to production houses to try to get them recorded or recorded them himself.

On the other issue, the member is absolutely correct. There is a balance in protecting consumers. In questioning earlier, the member for Sudbury raised the extended education piece. When I went to university, if I had five days to read a particular article that I had photocopied, I would not get through it. Other things would get in the way. That is what happens.

Clearly there are boundaries and we need to find a way to balance the two. Consumers deserve to have material available to them without feeling under threat that they are breaking a law and that someone is going to knock on their doors to arrest them because they have broken a lock inadvertently. The lock should not have existed. Locks seem to be the answer for everything. Digital locks are the answer, according to this legislation. They are not.



*Government Orders*

**Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP):** Madam Speaker, it is my pleasure to speak to Bill C-11 and the good and bad things that would come from this. I am going to focus on the problem with digital locks.

There are some good things that would come from this bill. It does clarify certain things, like using a CD and putting the contents of it on one's iPod. Already owning something and putting it on a different device that is owned by the same person is no longer a grey area. There is also the YouTube clause which means that Canadians can put creative things together for private use.

A lot of what people do with media has been a grey area since 1997 when the Copyright Act was last amended, as it is for private use. As a result, it would be good to update this to international treaty standards. This would soften the blow to consumers. However, the big problem is digital locks. This issue trumps consumer rights and it does not allow people to back up any kind of media, including CDs, DVDs, e-books, et cetera, that people already own.

The problem with this is that all these new lovely things that we would take out of the grey area, making it okay for people to use these things privately, would be trumped by the digital locks. That is the major problem. That seems kind of silly.

Digital locks basically create a blanket ban. A digital lock is a piece of software designed to prevent ordinary consumers from utilizing a piece of technology in any way they see fit. Such locks, for instance, are often used to prevent people from making copies of songs and videos but they are also used to prevent consumers from installing software on their cellphones and even fixing their own cars. Similar digital locks are used on movie and software CDs, DVDs, and Blu-ray disks. This is taken from the *National Post* of October 27.

A company that owns the rights is to be distinguished from the creator of the art, the movie or the song. The artists or creators are not the ones putting on digital locks. It is just too expensive for them to do so. It is the companies that own the copyright, and in many cases the artist produces the work for the company. The companies impose these digital locks in order to prevent stealing.

The problem is that a lot of people are not stealing on purpose. They are simply backing up CDs or DVDs on their computers, perhaps so that their children cannot destroy them, or because they want to keep them or they want to use them on different devices. This is frustrating for the consumer. I am of the generation of people who know how to break digital locks, although I do not personally know how to break digital locks. Most of the time, when there is no digital lock we are able to back material up or copy material for personal use. Thanks to this bill, we would not be able to when there is a digital lock.

This initiative is controlled by companies. It is quite clear that we are not balancing consumer and creator rights here. We are giving a default button or a veto button to the big companies that own the rights.

● (1040)

Again, this does not favour the consumers or creators.

Just because people break a digital lock, it does not mean that they are violating copyright laws. If they have legally purchased a DVD on a computer or something from iTunes, it needs to be decrypted in order to be freely available for their use. It just seems silly to prevent people from using, for their own personal purpose, things that now have this lock on them.

Michael Geist stated in the *Toronto Star*, on October 2, that the digital lock provisions undermine any attempt to strike a balance because they create this loophole. Companies are now basically in charge of whether people can use things freely which they would otherwise be allowed to do. Most people are not breaking digital locks simply to sell millions of copies but are doing it to back material up and use it on other devices.

The digital lock rules go far beyond what is expected by international standards. I do not see why we are doing this, unless the government is simply trying to play into the hands of big companies. There has been a lot of consultation on this issue. It has been shown to be a problem, but no one in the government seems to care. It can be frustrating to see this happen, as we are trying to make good amendments or bring forward solutions and we are consulting the public. The Conservatives are not listening. This legislation does not have to be a partisan issue. We should instead care about the consumers and the creators, because we know that consuming and creating drive the economy. We have thriving artistic communities in Canada and in Quebec and we should be making the balance there, not with the companies.

It is good that the fines have been brought down, but the digital lock takes away consumers' rights. This is silly. I do not understand why the government has not changed the legislation to make it better as the NDP has been arguing.

● (1045)

[Translation]

This bill creates powerful new anti-circumvention rights for content owners. Once again, it is important to distinguish between content owners, companies against copyright and content creators. This prevents access to copyrighted works. These new provisions are supported by fines of over \$1 million and five-year prison terms. This will result in a situation where digital locks will practically trump all other rights, including fair dealing for students and journalists. This presents a real threat, because consumers will not be authorized to use content for which they have already paid.

[English]

**Mr. Ryan Leef (Yukon, CPC):** Madam Speaker, we are talking about balancing personal use and consumer rights with the artists' rights. When an artist enters into a contract with a company the artist receives royalties and payments. It is similar to an athlete who has a contract with a corporation. The company in some respects pays the artist's wages and purchases the artist's product or provides that contract.

*Government Orders*

We should not focus just on the selling of the product; there is the utilization of it as well. When I purchase a product, I would like to be free to transfer the music or book that I purchased to other devices. What we are trying to provide, and what the companies need, is protection so that when people download things, it is not that they are going to sell them, but that they are not going to disseminate broadly a huge collection of music or books to all their friends.

How do we go about preventing that dissemination of information not in terms of sales, but in terms of disseminating it to the purchaser's friends?

**Ms. Mylène Freeman:** Madam Speaker, this is an extremely complicated issue. I also want to be able to use what I buy, the media content, et cetera, freely. We can most of the time, but companies can impose digital locks. It is up to the discretion of the company whether the consumer can have it, and even if the artist wants to give it, the artist cannot. That does not seem to be a good solution.

New Democrats have worked hard at bringing forward constructive solutions. I hope that the Conservatives will listen to the amendments and propositions my hon. colleague from Timmins—James Bay has made.

**Mr. Pat Martin (Winnipeg Centre, NDP):** Madam Speaker, I want to thank my hon. colleague from Argenteuil—Papineau—Mirabel for the tone and the content of her remarks. She made some insights in the context of this debate that are sometimes overlooked from a personal point of view. I liked her emphasis on consumer rights. I liked the attention to detail that she brought to the House on those issues as they affect the consumer. Ultimately, that is why we are gathered here today, to look after the best interests of those people who gave us their confidence in the last federal election.

I would like the member to expand on a very important point that she raised. She mentioned that the arts, culture and entertainment are an engine for economic growth that perhaps gets the least attention of any economic sector in our society today. As we lose smokestack industries, where are the new jobs going to come from? The answer is right under our noses. I argue this is being dealt with very clumsily by the government and even by the regulators as it exists today. I look forward to her personal reflections on this new engine for economic growth, the creators of arts, and the entertainment and cultural industries.

● (1050)

**Ms. Mylène Freeman:** Madam Speaker, I thank my colleague from Winnipeg Centre for his excellent question.

[*Translation*]

The Alliance of Canadian Cinema, Television and Radio Artists, or ACTRA, estimates that Canada's arts and culture industry contributes \$85 billion per year to our country's economy. That is huge. We should really be focusing on that. On this side of the House, we in the NDP have great appreciation for Canadian and Quebec artists. The arts and culture industry generates 1.1 million jobs. This industry and these jobs depend on artists' ability to disseminate their work. So, I would like the government to work on that.

**Mr. José Nunez-Melo (Laval, NDP):** Madam Speaker, I would first like to commend the hon. members for Winnipeg Centre and

Argenteuil—Papineau—Mirabel for their excellent remarks about Bill C-11.

I have the opportunity to once again speak specifically about Bill C-11, which was introduced to amend the Copyright Act. The Conservatives named it the Copyright Modernization Act.

In summary, the Conservative caucus once again introduced this bill, which proposes amendments that have been needed for a very long time. These amendments would adapt the act to take into account new technologies and to make it consistent with current international standards. However, this is a very complex issue because it involves the conflicting demands of stakeholders in artistic communities, universities, the technology sector, business and consumer protection groups.

Bill C-11 is identical to Bill C-32, which was introduced previously. It had the same name, the Copyright Modernization Act. Specifically, the bill creates powerful new anti-circumvention rights for content owners, preventing access to copyrighted works. In addition, these new provisions are supported by fines and prison terms.

In this bill, the Conservatives have deliberately avoided addressing the issue of a possible extension of the private copying exception, a measure proposed by the NDP several times and supported by a number of experts.

In this regard, the NDP believes that it is high time to modernize copyright rules, but that this bill has too many major problems. The NDP believes that Canada's copyright rules could balance the right of creators to appropriate compensation for their work and the right of consumers to have reasonable access to content.

We will study every possible amendment, including those mentioned by the hon. member for Timmins—James Bay, that could be made to the bill in order to create a fair system of royalties for artists.

It seems that all Canadian efforts to modernize the Copyright Act have really been attempts to meet the demands of big U.S. content owners. That is the situation. When will Canadians finally have a law that meets their needs?

We want to amend the bill so that it better reflects the interests of Canadians. Many organizations, individuals, lawyers and legislators share our position.

● (1055)

The list includes Michael Geist and more than 80 organizations working in the arts and culture, in Quebec and throughout Canada, such as the Writers Guild of Canada, the Samuelson-Glushko Canadian Internet Policy and Public Interest Clinic, and the Society of Composers, Authors and Music Publishers of Canada. It also includes eminent lawyer Howard Knopf, the Society for Reproduction Rights of Authors, Composers and Publishers in Canada, Jeremy F. de Beer and Cory Doctorow. I wanted to mention just a few of the people who have something to say about the NDP's proposals and support them.



*Government Orders*

Once again, I would like to point out that we should perhaps listen again to the excellent speech by my colleague from Argenteuil—Papineau—Mirabel. She was very explicit in her speech, which clearly captures the need to make these changes to Bill C-11 introduced by the Conservative caucus.

**Mr. Marc-André Morin (Laurentides—Labelle, NDP):** Madam Speaker, there is one rather obvious point about copyright that I would like my colleague to elaborate on a little. It is an extremely complex issue, so we need to really think carefully about this. It requires a lot of work, because it involves a variety of factors and a number of different technologies. In addition to the existing technology, there is also emerging technology, so the issue will become even more complex.

In politics, as in all other sectors, the same is true: society is becoming increasingly complex and technology is having more and more of an impact on our lives. Demagogues are always tempted to find simple solutions, which usually do not work, and when they are confronted with a problem they really cannot solve, they put it off to deal with later.

• (1100)

**Mr. José Nunez-Melo:** Madam Speaker, I thank my hon. colleague for the question. It is very obvious. He is quite right to be worried about the complexity of the technology involved in copyright. For instance, large corporations in the artistic sector want to take advantage of it in order to impose certain rules and make more money at the expense of artists and creators.

My colleague just explained one of the most important points of this bill. Technology is constantly changing and there was a time when, in my own experience, I really had to deal with that. Indeed, I once published a little local newspaper in Montreal. Thus, I perfectly understand all the intricacies involved in publishing photos and text that are copyrighted materials. It is very technical.

[English]

**Mr. Pat Martin (Winnipeg Centre, NDP):** Madam Speaker, I want to thank my colleague for the intelligent and thoughtful perspective that he brings to a very complex debate. The real gift in the analysis of such a complex bill is to render these complex situations down to the practical reality of enforcement in the modern age of regulatory regimes that seek to make sense of a constantly evolving spectrum of very detailed and complex situations.

I too would like my colleague to dwell on the question that we have for academic material, library material or journalistic material that is generously shared on a non-profit basis for the elevation of the standards of information and knowledge instead of for profit. This is the complexity we are dealing with. It is not just the industrial application of a copyright of profitable material, but the sharing and distribution of knowledge as we move forward as a species. It is the control and the ownership of knowledge—

**The Deputy Speaker:** Order, please. The hon. member for Laval has 30 seconds to respond.

[Translation]

**Mr. José Nunez-Melo:** Madam Speaker, 30 seconds is a very short time to talk about all these complexities. As our hon. colleague from Argenteuil—Papineau—Mirabel, our distinguished colleague from Winnipeg Centre and my colleague from the north shore of

Laval have said, this is very technical and complex and there are specific criteria. I would like to ask the Conservative caucus to consider our amendments.

**Mr. Denis Blanchette (Louis-Hébert, NDP):** Madam Speaker, I am pleased to rise this morning to speak to Bill C-11. I think this may be one of the most important bills I have seen in the time I have been a member of Parliament. Why do I say this? Because we are starting to build the future here. Up to now, there have been many bills that dealt with the present or the immediate future, but with this bill we are really talking about the future of our society, the way that young people in our society will live and will grow old.

Talking about copyright is one way to start building the digital society of tomorrow. We can talk about copyright and the digital economy strategy, as the government is doing, but to start with, we have to look at the big picture and talk about the digital society. We have to decide how, in the age of the Internet, globalization and planetary connectivity, we should be organizing our behaviour so that everyone has what they need to do what they want to do freely.

We often talk about balance between creators and consumers, but we tend to forget the distributors. With the Internet, some creators have started to distribute their own works, while under the physical model that has existed for decades, works go through a distributor as intermediary. Several of my colleagues have talked about digital locks, which are obviously intended to satisfy the appetite of distributors more than anything else.

We are trying to promote a balance. Everyone is trying to strike a balance between ease of access and creators' right to remuneration. Here again, when we talk about creators in the world of the Internet, we are taking a completely different perspective. Because of the ease with which content can now be obtained, everyone can become a creator and distribute what they create on the Internet. I am pleased to see, for example, changes to photographers' copyright. This is quite a trivial and simple example, but everyone has a digital camera. Anyone can be in the right place at the right time and take a photograph that impresses the entire world, and they too would like to be able to earn income from it. We can see that the concept of creator is being extended. There are those who do it as their occupation, who want to earn a living from it. I think we have to protect that and find a way of balancing use and remuneration. And I am not certain that this is going to be done.

I am very curious about the fact that for consumers, the bill essentially just legalizes certain existing practices. Yes, we have no choice, because everyone can do it. But there seems to be a lack of thought about the future. We are quite simply just transposing our practices in relation to a book or a cassette onto digital formats, when the reality is very different. That is why I am pleased that there are a lot of young members in the House. Young people have experience in the digital world. We are going to have to listen carefully to our young members in this debate because they use these devices day to day more than we do. They manipulate information, and there are tonnes of information being published. For example, every minute, 2,000 pages of scientific content are published. That means that if one of us wanted to read only the scientific content published today, there would be enough for five years. It is enormous.

*Government Orders*

● (1105)

It cannot be managed the same way that books are managed.

There is also another interesting statistic: we currently have 2 billion Internet users. With that in mind, I would like to address the global nature of the phenomenon. In the material world as we know it, there are borders. However, in the digital world the lines are a little more blurred. Scant attention is paid to this fact; we look at the Internet as if it were a in physical country when, in fact, the world of the immaterial, the world of the Internet, is global. We saw this, for example, with the Arab spring. It illustrates what can happen given the fluidity of information and how it is transmitted. These realities cannot be denied.

To begin with, treaties must have a more international aspect concerning jurisdictions and protection, and this is starting to happen. Given the speed at which information and tools evolve in the digital world, it is not possible to just take a bill that was introduced last year and reintroduce it as is, because it is already outdated, and quite substantially so. It is hard to imagine how anyone could keep up to date with this kind of legislation by simply looking at the work that is being done.

Building the digital society is a work in progress. It is unstoppable. We are starting to build something. We must look beyond our perceptions of the material world and begin to look little more at how this new world can be built. I know that there are a lot of consultations going on, however it is imperative that we continue to listen on this subject, especially to young people. Otherwise, in two years there will be another new bill dealing with copyright with still more major changes because all we will have done is codify existing practices. We should instead be thinking of how to build the digital society for all Canadians who, in fact, are part of this global movement.

A number of countries are starting to put legislation in place. We are going to have to keep a close eye, strategically speaking, on that legislation in order to determine what works and what does not. It is not enough to just listen to certain lobby groups wishing to defend their own interests. In that respect, it is not just about business, it is about use, it is about life. All of these factors must be taken into consideration.

Incidentally, the bill refers to students, but I prefer to talk of youth in general. With today's software tools, it is possible to piece together content from multiple sources and create something new. This is not science fiction; it is something that has been going on for some years now. It is important, therefore, to do more than just protect these works. For instance, when a work is reconstituted, how can the person responsible be compensated for the value of the work that they have done, work that may be different from what goes into reproducing a film or reading a book?

Another example would be a presentation on any subject that a student wishes to use in making an argument. It cannot be stressed enough that there are artistic and literary creations that are, first and foremost, educational. The point of these works is essentially to advance knowledge and culture, as well as to be disseminated. A balance needs to be struck, in my opinion, that is still is not evident in this bill.

● (1110)

I shall close with an example. I had a talk with the director of the Laval University library about the use of books and digital books. Digital books are still being managed just like printed books, one by one. Evidently, there is still much to be done.

● (1115)

[English]

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Madam Speaker, my colleague has certainly done his homework on the youth involvement in all of this and on how the technology has changed.

We strive to be technologically neutral, so we give the legislation the flexibility it needs to be nimble enough to deal with the technology as it develops. The problem is that it is not black or white, yes or no. We have to deal with infusing elements such as a three-step or six-step process into it to judge whether copyright has actually been infringed. An example is the education exemption; we like to use the step test to see that it is not being used for copyright infringement.

The NDP brought up the situation of the lessons that would have to be destroyed after 30 days upon completion of a course. That too is a very important element, but the digital lock provision is troubling for all of us simply because it is an overwhelming way of dealing with the technology. Any rights that are inherent in the bill for fair dealing have been trumped by the digital lock process.

I wonder if my colleague has any comment on that aspect.

[Translation]

**Mr. Denis Blanchette:** Madam Speaker, I want to thank the hon. member for his observations and comments.

I said at the start that a fair balance has not yet been achieved and we should continue to strive for it. This is a very clear illustration that a lot of work remains to be done. I understand the intent. However, we have to recognize that there is still a lot of work to do to achieve this balance in education for this digital world.

[English]

**Mr. Pat Martin (Winnipeg Centre, NDP):** Madam Speaker, I want to begin by thanking my colleague for both the tone and the content of his remarks. He has clearly taken this issue very seriously, he has done his research and he raises important and legitimate concerns.

One concern is the balancing act of granting a new range of access privileges, which is important in this day of digital information. However, the fact is that the bill does nothing to guarantee compensation for creators. It fails on the issue of ensuring that artists, creators and producers of content would be compensated fairly.

Given that the area of arts, culture, heritage, music, theatre, et cetera is a growth industry in Canada and one of our new engines of economic growth, what are doing to protect it? Given the context that we deal with the Copyright Act only once every 30 or 40 years, what are we doing to protect the creators and developers of this economic engine of growth that is the arts, culture and heritage?



*Government Orders**[Translation]*

**Mr. Denis Blanchette:** Madam Speaker, I want to thank the hon. member.

This demonstrates that the legislative process quite often lags behind reality. In the lock example, for instance, it is as though this bill visualized digital reality as a physical book that we carry around with us and cannot load into our television.

We have to take advantage of the innovative nature of the digital world in order to modernize the tools that will allow us to both use and refer to works and to remunerate their creators. If we do not shed the mentality of the physical book, as I was illustrating, and shift toward digital methods for managing copyright and remuneration, no one will win.

• (1120)

**Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP):** Madam Speaker, many people in my riding are very concerned about this bill. It is not just the many artists in my riding, but everyone who is concerned about Bill C-11. By everyone I mean artists as well.

Artists make an absolutely extraordinary contribution to our society. I can see it in my riding. Take the Saint-Viateur neighbourhood as one example among many. When that neighbourhood was slowly dying and losing its factories, the artists arrived en masse, rented out work spaces and created areas where they could work together. And, just like that, the neighbourhood was revived. All of sudden small restaurants started opening up. Shops and larger creative enterprises started opening up in the same area. A dying neighbourhood got a second chance at life. Now the artists are paying the price for that second wind because, unfortunately, rents have now gone up in the area and artists are finding it increasingly difficult to pay for space.

However, artists contribute to more than just the life of our society; they also make a significant economic contribution. I will not go into the numbers in terms of gross domestic product, economic spinoffs and so on. We have already heard those numbers. My colleagues have already mentioned them.

I would like to talk about a personal experience I had. A very well-known Quebec artist came to see me in my office to discuss her concerns about Bill C-11. She told me that she has a small business that employs sound technicians, graphic artists, musicians and set designers. She said her business is really small and that it gets by on next to nothing. She also said that this bill will deprive her of a significant portion of her income. This was a heartfelt appeal from someone who has been working in the arts for years and who makes an important contribution to our lives, our society and our economy.

As always, however, the Conservative government prefers to favour large corporations over small and medium-sized businesses artists often have. It prefers to favour large American content owners, rather than our own creators.

Indeed, this bill does not have adequate mechanisms to protect creators' rights and, as a result, it deprives artists of millions of dollars in revenue. Our artists are already poor enough, and I think everyone knows that. Existing mechanisms provide artists with some income through royalties that allow them to get by. Not only does the

bill deprive artists of millions of dollars in revenue, but it provides no alternate funding method.

Solutions do exist and suggestions have been made. But, as with so many other issues, the Conservatives will not listen to anyone. As a result, our artists, who already have very difficult lives, will no longer be able to survive. The creation of creative content will eventually decrease, because our creators will be unable to make a living. We need to protect our artists. We need to protect them because of the contribution they make to the vitality of our society and because of the economic contribution they make.

• (1125)

I would like to quote one of my constituents who wrote, "Canada's future relies on creativity and imagination, which promote innovation and contribute to the quality of life in our communities and, as a result, increase our capacities to grow socially and economically."

That is a fundamental problem with this bill, but there are others. First, in addition to its content and effect—not only on artists but also on our economy and society as a whole—this bill has some legal shortcomings. I would like to quote Mr. de Beer, a law professor at the University of Ottawa, who spoke about this bill:

*[English]*

There are doubts whether Parliament has the authority to legislate in respect of TPMs and RMI systems.... Although there is a tangential link to the federal Copyrights power, the matter might be more appropriately placed within provincial authority over Property and Civil Rights. Similarly, although this is a commercial matter, it seems not to fall within the federal Trade and Commerce power and is consequently for the provinces to deal with.

He goes on to say:

It is unclear whether the federal government has a general treaty-implementation power that would justify its proposed legislation. In general, the broader the proposed provisions, the further they are from federal jurisdiction and the more they trench into provincial powers.... At minimum, there are aspects of this matter that fall within the provincial sphere. All of this suggests that provincial Attorney Generals and other provincial policy-makers ought to actively participate in the debate.

*[Translation]*

Once again, we can see how the Conservatives operate: they lack respect for producers and small producers in Canada, grant all the privileges to the major corporations, refuse to listen, refuse to be open to proposed solutions and have little respect for existing laws. This bill itself contains several examples of problems we have noted in the House when examining a large number of bills.

I would like to point out another issue that is close to my heart, which is the destruction of course notes after 30 days. During the last year of my master's degree, while I was writing my thesis, I was still using course notes that I took during my first year, and I used them again while working on my doctorate.

Will this bill prevent students who are continuing their studies from keeping their course notes to use them again later? I wonder.

[English]

**Ms. Joyce Bateman (Winnipeg South Centre, CPC):** Madam Speaker, I appreciate the hon. member's commentary.

However, one provision in this bill that has not received a lot of attention pertains to the export of materials for the perceptually disabled. This includes braille and audio books for people who require access in this manner. The bill would actually legalize the export of works by an author who is a Canadian or a citizen of the country of import, subject to payment of a royalty that, as I understand it, would be set out in the regulations. My research indicates that.

Does the hon. member have views on this provision, which would place Canada in the forefront of international developments on accessibility for disabled people?

• (1130)

[Translation]

**Ms. Hélène Laverdière:** Madam Speaker, I would be very happy to see Canada become a leader in producing materials for people with all types of disabilities. That said, we are still talking about exports, and I have nothing against exports. The main point that I raised in my speech was about defending the producers and artists, many of whom are young, who work here and who are the precursors to a new artistic elite that will someday be known around the world.

But that will not come out of nowhere. We must truly allow artists to grow, work and create synergies. Right now, we are pulling the rug out from under them. By not allowing this group of artists, who often live in difficult conditions, to do their work, we are destroying the foundations of our cultural home.

**Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP):** Madam Speaker, the cultural industries have issued a statement. Thousands of people are directly affected by this bill. They have said that if the government does not amend the copyright modernization bill to ensure adequate compensation to Canadian content owners, it will lead to a decline in the production of Canadian content and its distribution within Canada and abroad.

I would like to hear my colleague's thoughts on this. In response to such a statement from the entire Canadian cultural industry, the current government, in this morning's debate, has done practically nothing. It is not defending its position and it is asking very few questions. Some people opposite are reading newspapers. What is my colleague's impression?

**Ms. Hélène Laverdière:** Madam Speaker, I want to thank the hon. member for his excellent two-part question.

First, the representatives from the entire cultural community in Canada have spelled out in black and white, repeatedly, saying that this bill is inadequate. We want a bill that balances the needs of the consumers with those of the artists. I did not talk about consumer needs, but this bill has major flaws in that regard. When it comes to the artists, this bill has been described to me as a disaster. The current government is refusing to listen to any other arguments or any other points of view.

The other part of the hon. member's question had to do with the decline in the production of Canadian content for use in Canada and

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abroad. That is terrible for Canada's image abroad, which is already suffering. If our artists can no longer flourish, that is bad news.

• (1135)

[English]

**Mr. Mike Sullivan (York South—Weston, NDP):** Madam Speaker, I am very pleased to join in this debate on a topic that has been near and dear to my heart for many years in my role as a union representative for broadcasters and, more recently, for newspapers.

We perhaps have lost sight of what the whole purpose of this legislation ought to be. When we talk about copyright, we are talking about the right of individuals to protect their intellectual property from being reproduced without their receiving remuneration for it. In other words, it is about protecting the rights of individuals to be fairly and properly compensated when they produce a work.

Some history may be what we need to remind our friends here in the House of how Canada has dealt with this issue over the past century and perhaps before.

In the 1920s, we discovered a new technology, and this appears to be where we are going with all of this to deal with new technology. The 1920s had a new technology called radio. Immediately upon the broadcasting of the first radio programs, radio broadcasters discovered a need for content and they discovered that a cheap and easy way to get content was to play recordings made by artists. They would purchase those recordings in record stores, which was where they were coming from.

Rather than broadcasting the artists live, they would broadcast the artist on record and the artist immediately said, "Wait a minute. We got paid when we were sitting in a musical hall and actually performing for you. We're not getting paid for our work when you are merely re-broadcasting something we've recorded". Thus began the debate, almost 100 years ago, about how artists were to be compensated for their work when that work was not live and immediate.

Over many years, the debate raged between the artists who said that broadcasters were getting the ability to sell advertising on their radio stations as a result of their good work. The radio stations replied that they were giving the artists free advertising and making them household names so they should actually pay the radio stations for the privilege of having their music played on their radio stations. That debate raged on for several years until finally we have a system in Canada and the United States today by which musicians are rewarded by royalties that are paid by these radio stations, and, ultimately, other forms of distribution, for recorded works. That system worked quite well and was a proper Canadian response to a copyright issue.

We did not go around looking to make criminals of people. We did not go around looking to punish people. We went looking for a way to make the system fair. We discovered that the distribution mechanism was the best way to pay the artists, that the artists were now receiving money as a result of the distribution of their work. It created, and held dear to Canadians' hearts, an industry that flourished.



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However, we fast forward to the 1970s, and maybe the 1960s before it, when it became clear to regulators in this country that Canadian artists were suffering. Canadian artists were not flourishing the way we thought they would when they were going to get paid because there was a discovery by Canadians that the American television and radio systems were easy to receive over our close border and, therefore, because of that, artists were not getting the royalties they needed to stay alive.

Therefore, the Canadian content regulations were created in this country, that, again, did not make criminals out of anybody, but made it possible for a Canadian music industry to flourish, and not just flourish but become world-renowned as one of the best music industries in the world.

• (1140)

We have world-renowned performers who have been paid for their work as a result of the Canadian content regulations developed in the 1970s that forced radio stations to ensure their broadcast contained a percentage of Canadian original works. That concept flowed to television as well, and Canadian television companies were also forced to play Canadian content.

Then we had another wrinkle in this mix. It was becoming easier for consumers, the listeners, to not listen to the radio station and therefore provide royalties to the performers but, instead, to record those radio broadcasts themselves. The performers rightly said, "Wait a minute", as they did in the 1920s with radio. They said that the radio stations' works were now being copied by other people and that they needed a way in the Canadian model for that to pay them. They said that they needed a way for the Canadian system to ensure that the copyright owners would get money for this.

One reaction would have been to just ban it and say that it was illegal to copy it. However, in the good Canadian way, we do not like making criminals of law-abiding citizens. We like to find ways to compromise. So, a levy was created and administered by an arm's-length agency that would provide funding for the artists for their material that was put onto cassette tapes and, ultimately, CDs and DVDs. We found a mechanism whereby the distribution system for the artists' works paid the artists. That worked. We did not make criminals. We made artists prosper in this country. We ensured that the artists got their royalties and were fairly compensated for their works.

Those two historical events have led us now to a new system whereby the distribution mechanism has changed. People are not copying onto a cassette tape, CD or DVD. They are recording material that is available on the Internet. It is sometimes put on the Internet by the artists themselves, but it is often by other more nefarious means. I believe that we need to find a mechanism whereby that distribution system is in fact a way of providing royalties to the artists so that they can continue.

Instead, the legislation we have in front of us purports to make criminals out of ordinary citizens who might use this system to record material. It provides for locks, handcuffs, to prevent people from putting themselves in a position of being able to use and reuse Canadian artists' material in a way that pays those Canadian artists for that use. We are creating a system, which has now gone away from the traditional Canadian method of compensating artists, of

making the distribution mechanism pay them. Now we are moving to a system of forbidding, a system of locks, of chains, of protection for essentially the distributors, not the artists, and preventing the free and easy use of this material. That prevention now threatens to make criminals of ordinary Canadians who, for whatever reason, want to time-shift a radio program or a television program or listen to a piece of music that they might be particularly interested in and are quite willing to pay a fee to listen to. Now they will be prevented from doing that.

The chaos that will result of lawsuits, charges and countercharges can only be imagined but it will happen and we will have a system that does not protect artists or pay them appropriately but rather chases ordinary Canadians and turns them into criminals. That is not the Canadian way.

I will also briefly comment on the notion that disabled persons, particularly blind individuals, would continue to have access. I have had representations made to me, as deputy critic for persons with disabilities, from members of the blind community who suggest that their current software would become invalid, that they would not be able to use it and that this law would prevent them from having books read to them.

• (1145)

**Mr. Pat Martin (Winnipeg Centre, NDP):** Madam Speaker, sometimes I wish more Canadians were tuned in to this debate. It has been thoughtful, knowledgeable, constructive and legitimate in almost every way. This is exactly how Parliament is supposed to work, testing the merits of legislation with meaningful debate of substance and quality.

I want to ask my colleague about the fullness of the legislation. He began his remarks by going back to the early days of copyright. We only revisit the Copyright Act once every 30-some odd years. We will create legislation that will last another generation and we do not even have any idea what innovations and changes might take place in that period of time.

Is it not an obligation and duty of parliamentarians to ensure the legislation is fully gestated before we foist it on an unsuspecting industry sector? If it is full of so many inadequacies and holes, as we pointed out, do we not owe it to Canadians to do a more thorough and robust job in testing the merits of—

**The Deputy Speaker:** The hon. member for York South—Weston.

**Mr. Mike Sullivan:** Madam Speaker, that is a very apt question. Absolutely, we owe it to the Canadian public, consumers of the material and content providers. As newspaper and television broadcasters will say, content is king and the providers of that content need to be protected. The legislation does not do that. It does not protect their income streams, which is the issue.

The member is absolutely right. Nobody could guess what the Internet would entail when legislation was drafted in the 1920s to protect artists from radio stations using their material for free. We cannot anticipate whether we will have implants in our heads that will broadcast propaganda to us in the next decade, but we can and should ensure that what we design does the job for today, and this one does not.

[Translation]

**The Deputy Speaker:** The hon. member for Louis-Hébert for a quick question.

**Mr. Denis Blanchette (Louis-Hébert, NDP):** Madam Speaker, I want to thank the hon. member for his speech, specifically the fact that he illustrated the need for compromise in moving forward with copyright.

I would like him to say a few words about the possible compromise that could be satisfactory with regard to today's technologies.

[English]

**Mr. Mike Sullivan:** Madam Speaker, I believe the compromise solution is one in which the income stream of the content creator is protected. We have traditionally in our country found ways for the distribution mechanism to be the method by which content creators have been compensated. That is the method we should use now.

I am not talking about a tax or somehow making it impossible for Canadians to continue to do the things they are doing now. However, I want to ensure that when we use material that is provided by Canadian artists and professionals in the content-creation business, they in fact can continue to earn a living in Canada. One of the ways to accomplish that is to ensure the distribution mechanisms, as they evolve, continue to provide them with incomes. If that means there needs to be a 1¢ per month levy on an ISP, maybe that is something at which we should look. Nobody has had the opportunity to look at those kinds of issues because we are faced with a bill that talks about locks and only about prevention, not trying to create a mechanism where individuals will be properly compensated.

• (1150)

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Madam Speaker, I rise today to speak in opposition to Bill C-11, Copyright Modernization Act. The legislation seeks to bring long overdue changes that would bring Canada in line with advances in technology and current international standards.

We know copyright is a highly complex issue that features competing demands from stakeholders in the artistic, academic, business, technology and consumer rights communities. However, I would argue that the bill does not do a good job of properly balancing these competing demands.

Before delving into some of the reasons why I oppose Bill C-11, I would first like to briefly review some of the main points that the bill seeks to accomplish.

Bill C-11 would create powerful new anti-circumvention rights for content owners through the use of digital locks. The punishment for circumventing digital locks would include fines of up to \$1 million and five years in jail. This is concerning as it could mean that consumers are prohibited from using content for which they already paid. It would also have implications for those enrolled in long distance education courses.

While the bill would create limited exceptions to the fair dealing provision of the copyright modernization act for people such as educators, I believe these exceptions do not adequately recognize creators' rights and in fact create new ways for consumers to circumvent compensating creators for the use of their work. What

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the bill would not do would be to deal with the issue of extending a private copying levy, as has been the case in the past for cassettes, DVDs and CDs.

Why do New Democrats oppose the bill? Put simply, New Democrats believe Canadian copyright laws can and should strike a proper balance between the right of creators to receive fair compensation for their work and the right of consumers to have reasonable access to content.

As it stands, Bill C-11 means millions of dollars in lost revenues for artists. New Democrats will consider all possible amendments to the bill that would create a more fair royalty system for creators.

We propose removing sections of the copyright modernization act that make criminals out of everyday Canadians who break digital locks for personal, non-commercial use. We want to avoid the same kind of excessive lawsuits against ordinary citizens that we have heard so much about in the United States.

I have been amazed by the number of Canadians who are engaged on the issue of copyright reform. Thousands upon thousands of Canadians have written letters and emails about the copyright modernization act, and this is a wonderful thing. My office has received hundreds of letters and emails from constituents on Bill C-11. The vast majority have serious reservations about the bill, calling it flawed to the core.

I would like to take a few moments to quote directly from some of the emails that I have received, which many members in the House have also received. One email states:

As a Canadian, I am both concerned and disheartened by how easily my rights are trumped by the overriding and all encompassing protection for digital locks contained in this legislation.

The anti-circumvention provisions included in Bill C-11, unduly equip corporate copyright owners and distributors in the music, movie and video game industries with a powerful set of tools that can be utilized to exercise absolute control over Canadians' interaction with media and technology and may even undermine Canadians' constitutional rights.

• (1155)

I would also like to quote from an email I received from an author living in my riding in New Westminster—Coquitlam—Port Moody. Annabel writes:

I support modernizing the Copyright Act, but Bill C-11, an Act to amend the Copyright Act, proposes to cut back on rights that are the underpinning of writers' survival. There are more than 30 new exceptions affecting rightsholders. Many of these new exceptions take away or reduce the ability I currently have to control my work and to be compensated for it.

Among the most troubling of these exceptions is the extension of "fair dealing", (which means uncompensated use) to "education". If much more of the work of creators can be used for free and educational settings, the educational market is at risk of being legislated away. For Canadian writers and publishers, this will be devastating. At a time when the government has declared the goal of having more Canadian history taught in our classrooms, it is surely counterproductive to harm the market for the creators and publishers of that history.



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I am not asking for anything new or anything more. I am asking that my longstanding property rights not be severely limited in C-11, so that I can continue to make my cultural and economic contributions.

The majority of emails I received were copied to the offices of the Prime Minister, the Minister of Industry and the Minister of Canadian Heritage.

Based on the number of emails that my office has received from people who are opposed to Bill C-11, I would estimate that the offices of the Prime Minister, the Minister of Industry and the Minister of Canadian Heritage have each received upward of 100,000 emails from Canadians who have serious concerns about the implications of the copyright modernization act.

However, it is not just Canadians that the Conservatives are ignoring on this issue. They are also ignoring expert opinions raised in committee and the findings of their own copyright consultations in 2009. As a result, we have before us today flawed legislation that will end up doing more harm than good.

I would like to ask the government to seriously consider amendments to its copyright modernization act that would create a more fair balance between the right of creators to be fairly compensated for their work and the right of consumers to have reasonable access to copyrighted content. Amendments should also be considered that would create a more fair royalty system for creators.

Finally, I would like to thank the hundreds of constituents who have written to me about this issue, and I encourage them and all Canadians to stay engaged on this important issue.

[Translation]

**Mr. Marc-André Morin (Laurentides—Labelle, NDP):** Madam Speaker, I notice that on this side of the House, all my colleagues seem to have worked very hard and done a lot of research on this subject. I am wondering about something and I would like my colleague to give me his impression.

Digital locks to limit access have somewhat the same effect as if someone published a book where the ink might disappear after 30 days. It is not particularly logical. And yet this is the kind of bill that my colleagues from the Neolithic age on the other side have presented.

[English]

**Mr. Fin Donnelly:** Madam Speaker, that is at the heart of the bill. It has not been thought through enough to realize there are some serious flaws in its practical application. The practical application of how this is to work has not been thought through.

As he quite rightly pointed out, the intent of the industry would be to have the artists or the creators re-initiate or somehow reapply in a very brief time. That is impractical. This will not encourage the use of art and music and the written form in a way that is practical in distributing to our community and supporting the needs of what we would call fair, balanced, creative creation and access to consumers in a fair and reasonable manner.

● (1200)

**Mr. Pat Martin (Winnipeg Centre, NDP):** Madam Speaker, my colleague made reference to the sheer volume of constituents who had contacted his office over this very bill. It is an indication of the

importance that Canadians sense around our Copyright Act and the fact that we had better get it right because we are going to have to live with this for a long, long time.

The innovation and the change that has been happening so rapidly in the last few years is going to continue to grow exponentially, yet we are possibly putting in place legislation that we believe is inadequate and outdated to deal with what we have to deal with today. For heaven's sake, what could be happening a year from now?

Did we consult the right people? Did we have an exhaustive consultation process around the country and did we accommodate the legitimate concerns brought forward by those people we did consult?

**Mr. Fin Donnelly:** Madam Speaker, in fact, that is the case. As elected officials, we are deliberating over a piece of legislation that will be in effect for a long time and will have application potentially for at least a generation or longer. It is incumbent upon us in the House to do a wide range of consultation, to consult far and wide, and listen to as much input as we can. That is one of the shortcomings of the government here in terms of ignoring expert opinions, many of which were raised at committee, and even by the findings in its own copyright consultation in 2009.

I would like to quote one individual. Michael Geist is a renowned technology commentator and he puts it succinctly when he says:

The foundational principle of the new bill remains that anytime a digital lock is used — whether on books, movies, music, or electronic devices — the lock trumps virtually all other rights.

This means that both the existing fair dealing rights and Bill C-11's new rights all cease to function effectively so long as the rights holders place a digital lock on their content or device. The importance of consultation is needed and then once we get that consultation, we need to listen to that advice.

[Translation]

**Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP):** Mr. Speaker, we are looking at a bill to which an overwhelming majority of the groups that will be affected have objected. Only the big corporations that distribute content seem to be pleased with it. Journalists, artists, authors, new media specialists and copyright law specialists, all these groups object to the bill as it stands. Despite the fact that there are senior ministers present in the House, the government is not participating at all in the debate this morning. How can we interpret that kind of attitude toward all these groups, representing thousands of Canadians who produce books and songs and who have a positive effect on the lives of millions of Canadians? How can we interpret that silence this morning? How can we not see it as complete contempt for the issue of intellectual property? Canadians will be the judges.

Copyright issues have not been lagging behind other legislation in Canada just recently. Twenty years ago, I had the good fortune to take several courses taught by an expert in this field, Gilles Valiquette, as part of an audio technician programmer course. Even then we were surprised to learn that Canadian copyright law had long been managed by the Department of Agriculture. It took nearly 100 years to correct that situation.

*Government Orders*

We were also very surprised to learn that the way copyright was managed in Canada, unlike under a number of European laws, the author was not paid until the very end. At that time, we were talking just about CDs, because there was as yet no great diversity in digital formats. Sales had to be reported, say 50,000 copies sold, in order for authors to receive their share, while under a number of European laws, a CD, for example, could not leave the plant before the authors received what was coming to them.

For comparison purposes, it is as if a law in Canada had prevented a bricklayer from being paid until there was enough money for the shopping centre and until enough consumers had visited that shopping centre. That approach is quite absurd and has prevented a lot of creators from earning a living with dignity in Canada.

In the early years of this century I owned a small business where creators produced music. The industry went through a very difficult period with the diversification of digital formats and the ease of copying them. We saw extraordinary artists who ordinarily sold 100,000 or 150,000 or 200,000 copies suddenly, even though they had the same fan base, selling 50,000 or 40,000 or 35,000 copies. When we see a bill that talks about modernizing copyright, the first reaction is to rejoice and say “finally”.

But this bill demonstrates extreme hypocrisy. Even its title should be questioned. Can we really call it a copyright bill when its effect will be to cut creative people's incomes by millions of dollars? The title of the bill should be changed to make it a little less hypocritical to “an act to support the big distributors” or something along those lines. But no, this bill claims to be about copyright, about authors' rights.

The introduction of this bill was accompanied by completely absurd rhetoric with the government saying, among other things, that copyright is comparable to a tax on iPods.

• (1205)

To say that to authors is just as absurd as saying to any other consultant—someone who does not put down an object in exchange for money, for example the consultants hired by the ministers opposite—that we do not know if they will be paid, because it would be considered a tax. Paying them would be like imposing a surtax on the consumer or the public. We would never make this argument to consultants hired by the departments of our colleagues opposite. It is that absurd.

Such contempt of intellectual property and copyright has consequences. This has been pointed out not just by the NDP, but also by copyright legislation experts. If this bill is passed in its present form, the cultural output of Canada and Quebec will be impoverished. I will give a simple example: I do not want my children living in a world where the only major cultural event of the week, in 2030, is the release of *Indiana Jones 27*. I hope that my children will live in a world where such talented writers as Yann Martel can make a living writing books and such talented composers as Karkwa can make a living recording music. That is my hope. This bill guarantees that the opposite—the impoverishment of Quebec and Canadian culture—will occur.

In closing, I would like to lend my voice to a group of authors who express, better than I, the current problems with this legislation

in an opinion letter entitled “Preserving the dignity of works and their creators”, which was published in *Le Devoir*.

...this is what is proposed in Bill C-32 [the old nomenclature]: broadening the scope of fair dealing to include education, the possibility of creating a new work from existing works without the consent or remuneration of the author, private copying without payment of additional royalties [the creator is paid once, money is made for 1,000 years; that is inadequate], the mandatory use of digital locks to protect one's work on the Internet, the elimination of the responsibility of Internet service providers, and so forth. These are all situations where respect for intellectual property will disappear [this is the harsh but quite justified conclusion of this group of authors]. With [this] bill..., the exceptions overtake the rule.

We also perceive in this bill a deep-seated contempt for creators and a stubborn refusal to recognize their contribution to the development of our society.

To digress a little: many creators are suffering great hardship. Some great creators with whom I worked were barely able to make a living from their art, if at all. However, I would like to point out that a career as extraordinary as that of Leonard Cohen may have helped him to become a millionaire, and that is wonderful. I want the next Leonard Cohen to also be a millionaire.

My little boy, who is six years old, loves to go for snowmobile rides, and this enriches my everyday life. So thank you, Mr. Bombardier. I am very happy that the Bombardiers are billionaires. My son loves it when we listen to three of Leonard Cohen's songs in particular when we go on road trips. It makes him happy. These two things are very important in my son's life.

• (1210)

It is good that some successful creators simply get rich from their work and their success. I would like to come back to the editorial:

...the bill...calls for the exact opposite. At a time when our government is prepared to spend amounts that defy reason to build up its military arsenal, it is upset about the money that the education sector is paying creators for using their works....

By the way, I have never heard a single teacher ask that creators not be given payment for the use of their works in the classroom. I have never heard of it. I do not know where this is coming from.

In closing, I once again deplore the total lack of interest demonstrated by the members opposite in a situation that is so critical to the future of intellectual property and our country's culture.

[English]

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, it is clear from my colleague's thoughtful remarks that he has done his research. He has listened to Canadians and the people in his constituency in Quebec who have serious reservations about this legislation, that we have not achieved the balance desired or required on a regime of copyright regulation that would serve the needs and interests of the next generation.

My colleague made the point that sometimes legislation benefits from robust, intelligent debate. I wish more Canadians would tune in to debates like the one we are having today where thoughtful, considerate remarks and recommendations are being made on important legislation. This legislation deserves our attention and our full engagement, not just the cursory oversight of a government that is unwilling to listen to legitimate points of view.



*Government Orders*

I would ask my colleague to put on the record some of the points from our platform in the last federal election that dealt with the fair remuneration of artists and the way that we value the creators of arts, culture and heritage industries as an engine for economic growth.

Does the member agree that we should allow creators to average their income for the purpose of taxation over a period of five years, instead of the unfair way that artists are treated today?

• (1215)

[Translation]

**Mr. François Lapointe:** Mr. Speaker, I thank my colleague for raising this issue, which is not directly related to the bill but is still very relevant.

In reality, it is nearly impossible to think that artists will bring in a stable income over several years, simply because they may have some success with launching an album, but since there is a cycle of about 18 months, artists may not necessarily be able to launch an album right away after 18 months. Therefore, artists may make a lot of money some years and less other years. So any legislation that would help stabilize that income would be necessary and would help the cultural community.

[English]

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, in his very thoughtful comments, my colleague mentioned at least two Quebec artists, Yann Martel and Leonard Cohen, who have flourished under the regime in place today. My concern, and I suspect it is his concern as well, is that the next generation of artists would be hamstrung and prevented from making a good sound living by some of the failures of the bill to adequately provide protection for the income of artists.

Would the member like to comment on their future under this bill?

[Translation]

**Mr. François Lapointe:** Mr. Speaker, that is a concern shared by all of the people I still consider my friends, people who work in record producing and music producing, and who are authors and composers. They are concerned about that. Two things are happening: digital copying and the ease of making copies at home have caused the market to collapse. Artists have a hard time selling copies, and as soon as they sell one, it turns into as many as 14 illegal copies. Now, if we add to that pressure such as what is in this bill, where what little there is left gives them even less in the way of copyright revenue, it is very likely that extraordinarily talented people, after trying for one, two or three years, after one album or one book, simply will not be able to make an adequate living—we are talking about a roof over their heads and some peanut butter, not much. It is very likely that the next Yann Martel, Karkwa or Arcade Fire will end up in this position and will stop creating. It is very likely that this will happen many times in the years to come.

[English]

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, I am pleased to enter into the debate on Bill C-11.

I must confess, when the legislation was in the House at earlier stages, I did not enter into the debate partly because of the sheer complexity of the subject. I think one has to have a certain knowledge of the issues to do this particular subject matter justice.

All of us as members of Parliament have been elevated in our information, knowledge and competency in this regard, partly because of the sheer volume of activity and information that we have been getting from concerned Canadians. I wish more Canadians could have tuned into the debate earlier today to hear some of the legitimate concerns brought forward in a very thoughtful and reasoned way to draw attention to the fact that this bill has not achieved its full gestation.

This legislation is not ready to be passed, implemented and made into the law that will govern this sector for the next generation. It is not done yet. It is not baked. It should be put back in the oven. It should at least be given another fulsome round of consultation with the stakeholders.

It appears that all recent Canadian efforts to address our copyright legislation have had very little to do with protecting the interests of Canadian artists, musicians and creators of culture and heritage that are in fact such an engine of economic growth. They have everything to do with satisfying the demands of the U.S. corporate giants that dominate this field. We only seem to be stimulated to open up our Copyright Act when we are under pressure from the corporate giants that are concerned, whether they be the movie studios, the music labels or the video game developers.

We want to know when we will be developing copyright legislation to put the best interests of Quebec and other Canadian artists first, not as some afterthought. There is very little in this bill that actually deals with increasing the opportunities for artists for fair compensation.

The bill does grant a range of new access privileges, but they are not offset with the corresponding recognition of the creators and protection for them. Those are our constituents. Most of us were not put here by the American corporate media giants. Some are unduly influenced by the interests of those giants, but we were sent here by ordinary Canadians to look after their best interests and to put their interests first.

We have been trying to emphasize that especially in this day and age we have to recognize the economic development opportunities of sponsoring a robust and healthy arts, culture and heritage industry and communities. As we lose the smokestack industries, as the garment industries close in the riding of Winnipeg Centre, there is a burgeoning film industry. As we lose the smokestack industries in many Canadian cities, artists are generating economic activity.

I was interested to learn from one of my colleagues, and this will give an example of the substantive debate we are having today, that the sum total is in the neighbourhood of \$80 billion a year, and growing. It is one of those industries that is showing a projection in a positive way.

The legislation warrants our attention. It deserves our consideration. We have to get it right, because we are going to be living with it for a long time.

*Government Orders*

A hallmark of the government is to force through legislation at breakneck speed, many times without the due diligence, without the scrutiny, without the oversight, without the consideration, without testing the merits of the legislation with robust and fulsome debate. The very principle of Parliament, its prime function, is to hold the government to account. If the government suggests the bill is right for Canadians, we should test every clause and every detail of that bill to make sure it is as good as it can be.

● (1220)

In that context, we put forward amendments, not to sabotage the will of the government but to try to make the legislation the best it can possibly be, so that it does not miss anything and that it puts Canadians first and addresses as many of the legitimate concerns of the copyright regime as can possibly be done in one piece of legislation. It is broad. It is sweeping. It is complicated. It is evolving. It is a moving target. It is like shadow boxing, trying to predict what changes we need to put in place to anticipate the changes necessary for a generation from now, because it is only every 30 years or so that this Parliament is seized with this issue.

It is a cautionary tale. We run the risk of not only doing a disservice to the practitioners in those industries today, but we run the risk of a missed opportunity that we are not going to take full advantage of one of Canada's growth industries. If we leave too much on the table, believe me, it will be gobbled up by others.

How do small artists become great artists? They need support. Virtually all industries get corporate handouts and corporate welfare. There is not a single industry that seems willing to renovate its plant without getting the government to pay for half of it. However, we do not consider an \$87 billion industry in the same context.

Yes, we have the Canada Council. We have sprinklings of grants that are rationed out, but it is like winning the lottery to get a grant.

The NDP put forward what I thought was a good consideration in the last federal election. We said that in order to encourage and enable small creators, whether it is in music, art, culture, writing or whatever it is, we should let them average their earnings over a period of five years for the purposes of income tax. Any artists or creators will tell us that they might have a good year one year. A painter will have a showing one year and maybe make \$100,000 that year by selling 20 paintings, but the next year, the artist will sell none, zero. The artist is taxed at the highest income tax bracket for the one year that the artist made a lot of money. In the next two or three years the artist may make very little. One simple amendment that could have been made to the Income Tax Act to help artists, writ large, would be income averaging.

I have a private member's initiative that would let the first \$100,000 of earnings by an artist be income tax free. That is a legitimate proposal. Instead of winning the lottery in this potentially biased way of offering Canada Council grants to those lucky people who are connected to the Canada Council, let us encourage all creators by saying that the first \$100,000 a year they earn from their art or craft should not be taxed at all. That is the kind of tax measure we could support if we were serious about enabling our creators in arts, culture and heritage. That is a private member's initiative of mine that I would be happy to expand upon at some other time.

The consultation has been inadequate. We have to get this legislation right and it is not right yet. It is not ready to graduate to its next stage of implementation. We would be stuck with something that would not serve our needs and would not protect the best interests of the very artists who voted for us with the confidence that we would stand up for them. We are going to stand up for Sony and Disney and protect their interests with this bill, but are we really protecting the creators, the Canadian artists who are driving the economy in this new burgeoning industry sector?

● (1225)

**Mr. Brad Trost (Saskatoon—Humboldt, CPC):** Mr. Speaker, I enjoyed listening to my colleague's remarks, particularly the portion where he talked about income tax and so forth.

He suggested that \$100,000 should be tax free for artists. He also suggested income averaging over five years. That idea, I think, is fairly intriguing.

On the income averaging, would the hon. member be interested in extending that in a much more general way to broader elements of society, to perhaps the whole population? If so, why? If not, why not?

Does the hon. member also think there are other occupations that should have their first \$100,000 income tax free?

**Mr. Pat Martin:** Mr. Speaker, in strategic industries, such as arts, culture and heritage, we have the opportunity to encourage small actors to develop into large actors in that field. Yes, I absolutely support this. Income averaging is a reasonable and sensible way to deal with self-employed people, especially in the arts community.

With the \$100,000 threshold, we would essentially be raising the basic personal income tax exemption for artists only on the earnings they make from their creation, which is the proposal. If they have two jobs; a real estate agent and a painter, I do not think the tax system should be subsidizing their earnings from another source. However, their earnings from their creations is a far more equitable way to stimulate and encourage creators than the current grant systems that exist now, which are complex. There is a great deal of line loss associated with the Canada Council for the Arts and other grant systems, where a lot of the tax dollars are actually burned up in the delivery and the administration of the system. It would be simpler and more straightforward to give them that tax credit.

● (1230)

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, it appears, from the discussions we are hearing today, that this bill needs a lot of fine-tuning and that not enough time is being given to zero in on the problems and reach a good, healthy compromise. We have seen this with other pieces of legislation that have been rammed through.



*Government Orders*

I would like to ask my colleague to comment on the following point. This bill would require that, where a digital lock exists, copies made for the purpose of study self-destruct within five days and that course materials be destroyed no later than 30 days after the conclusion of a course. This would pose large problems for those pursuing long distance education and is not an appropriate use of copyrighted material.

**Mr. Pat Martin:** Mr. Speaker, I thank my colleague for raising another perfectly legitimate point. We have been dealing with the commercial implications for both the creator and the owner of the copyright of the knowledge. We have spent very little time on the dissemination of knowledge for academic, non-profit and education purposes. It is a whole other element of this bill that requires a lot more study and detail.

My colleague raises a perfectly legitimate concern that, frankly, would strike most people as ridiculous. This is not like *Mission: Impossible* where the message that we receive will go up in smoke after 30 seconds. This is elevating the human condition through the free exchange of knowledge and information. That is how society and civilization moves forward. If we put limits and constraints on the free distribution of information, we will be holding ourselves back.

It is very unbaked. It is like a turkey dinner at Christmastime. We put it in the oven when it is frozen, take it out four hours later to eat it, cut it open and realize that it is raw and not ready to eat. We need to shove it back in the oven and let it finish cooking before we can enjoy it because it is not ready for human consumption at this point in time.

[Translation]

**Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP):** Mr. Speaker, I want to begin by acknowledging all the artists in my riding, namely those from Notre-Dame-de-Grâce, Montreal West, Lachine and Dorval, who have written to me on several occasions to explain how they are directly affected by this bill. I also acknowledge the Canadian Alliance of Student Associations, whose representatives came to meet with me and tell me about the impact of this legislation on Canadian students.

I am proud to take part in the debate on copyright modernization. I want to be clear. There is no doubt that we, on this side, think that a review of the Copyright Act is long overdue. Indeed, this legislation is not up to date, and some things need to be improved. We also think that some provisions included in the bill are beneficial to both authors and consumers. However, we want to propose amendments, because we believe that, as it stands, the bill is very flawed and that, as parliamentarians, it is our duty to improve it.

The government keeps saying that we vote against various bills, that we are against the budget, that we oppose all sorts of measures, but that is false. We support many initiatives that are good for the public. Today, we are trying to make proposals so that the Conservatives pay attention to all the measures presented in this House.

We want to achieve a balance between creators and consumers. Right now, as my colleagues pointed out, artists in Canada are missing out on millions of dollars with this bill. The average income

of an artist is around \$12,900 a year, but we know that Canada's culture industry brings in millions of dollars for the government.

This bill seems to target certain consumers who should pay more than others for rights to which they are entitled.

The first thing that bothered me when I read the bill is the fines that the government wants to impose on those who remove digital locks for personal, non-commercial purposes. While there is no doubt that we have to deal with certain issues in this regard, the bill provides for fines of up to \$1 million and a five-year term of imprisonment.

Before becoming a member of Parliament, I worked in a detention centre in Quebec. I taught there for some time. Among those there, I saw people who had assaulted children and received sentences of two years less a day. I also saw people who had participated in all kinds of illegal activities and were in a detention centre for two years less a day.

Today, I read in the bill that an individual who has pirated copyrighted material—obviously something that I do not encourage—will get five years in prison, whereas someone who has raped a child will be handed a lesser sentence. I think that there are absurdities of this nature in the bill that absolutely must be addressed, because sentences like that seem somewhat disproportionate to me.

The other thing that disturbed me about this bill is that digital locks essentially trump all other rights including the fair dealing rights of students and journalists. Allow me to explain what I mean.

Currently, where digital locks are concerned, it is a requirement that copies made for educational purposes automatically erase themselves after five days and that course notes be destroyed within 30 days of the course ending.

I was a student less than two years ago, and I still have course notes I reread at home because I find them useful and I paid for them. As a student, I was asked early in the session to pay student fees, and there was always a fee for the material we would require in class. Having paid for this material, I consider it only normal that I should still be able to use it today. Students participating in distance education are asked to do the same thing. Distance education courses are not completed overnight. And yet, data is supposed to be automatically erased within five days and course notes are to be destroyed within 30 days of the course ending. In the case of distance education, five days is clearly not enough time to make use of this data.

• (1235)

The other problem is that our society is increasingly trying to use digitization for ecological and environmental reasons. This creates an imbalance and stalls the promotion of the very innovative cultural formats of our time. That is what upsets me the most. Several groups came and told us that change was critical in this regard.

According to the Cultural Industries' Statement, left unamended, this bill would be toxic to Canada's digital economy.

The Writers Guild of Canada stated that “the only option that Bill C-11 offers creators is digital locks, which freezes current revenue streams for creators, and creates an illogical loophole in the copyright Bill by taking away the very rights the Bill grants to consumers in its other sections.”

More work really needs to be done on this.

The reason why we in the NDP are proposing amendments is not that we are against copyright or that we are against doing some housecleaning on this issue. We are proposing amendments because we believe that, rather than encouraging certain large cultural industries in Canada, we must go to the source and help the creators and artists in my riding and in the ridings of every member of the House. That would allow creators to make money from their work and to be paid a fair price for it, and ensure that consumer rights are not violated. In this regard, a student came to see me and told me that he had paid for class notes that he has to destroy at the end of the course. That is completely ridiculous.

In addition, the Society of Composers, Authors and Music Publishers of Canada believes that amendments must be made to the bill to facilitate access to creative content through new media and to ensure that creators are fairly compensated for the use of their creative content through new media. This comes back to what I just said. Creators provide something to us: culture, a story, a product that is part of our identity. Yet, instead of compensating those creators, we are telling them that they will not be given a fair return under this bill.

Howard Knopf, a copyright, patent and trademark lawyer, has said that the measures to apply digital locks continue to divide Canadians and defy consensus. They are stronger than required by the WIPO treaties and stronger than necessary or desirable.

In conclusion, we are of the opinion that we must move this bill forward because a cleanup is needed. However, the amendments proposed by the NDP must also be taken into consideration so that we can accept this bill and so that it is fair for consumers, producers, artists, students and everyone who wants to have a stake in today's culture.

● (1240)

**Mr. Denis Blanchette (Louis-Hébert, NDP):** Mr. Speaker, I would like to thank the hon. member for shedding a different light on the issues surrounding this bill. I was struck by her discussion of sentences and her comparison of them. Many members of the public make copies. There are many court cases about it in the United States.

Could my colleague talk to us about the changes she thinks could be made so that people do not break the law and become serious criminals while others who commit more serious offences are given more lenient sentences?

**Ms. Isabelle Morin:** Mr. Speaker, I would like to thank the hon. member for Louis-Hébert for his question. Certainly in the United States there are relatively severe sentences for digital copying. I am not saying that people who violate copyright should necessarily be cleared, not at all. I think that people who make copies should be punished, but perhaps a fine would be enough.

### *Government Orders*

We know that with these bills being introduced by the Conservatives, prisons will be even more full. But I cannot see myself standing before my constituents to defend the fact that they will pay taxes so that people go to prison because they illegally copied a digital file that belonged to an author.

As I said earlier, there is something incoherent about that. As I said earlier, I personally find it much more serious when someone abuses other people than when someone makes an illegal copy of a copyright protected work.

I think that balance needs to be restored and a slightly less serious sentence should be handed down.

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, here on this side of the House, we think the copyright modernization bill gives with one hand and takes back with the other. I wonder if my colleague could comment on that.

● (1245)

**Ms. Isabelle Morin:** Mr. Speaker, I would first like to thank my hon. colleague for the question. As I said at the beginning of my speech, it is time to clean this mess up, because there is no balance here. On the one hand, we have artists who want to give their work to the country to share their culture, their history—and this can include scientific and other research—and who currently earn \$13,000 a year. On the other hand, we have the consumers. Students, in particular, have come to see me and told me that they are paying for course notes that they are obliged to destroy afterwards. They do not believe that, with this bill, they are paying for something that belongs to them.

We in the NDP believe that a balance must be struck so that what we are proposing satisfies artists and creators, as well as consumers, who want to be able to say that they paid a reasonable price for something that belongs to them. That is the basic principle of consumerism.

If something is not working, we need to take the time to amend it now, in order to ensure that the legislation is honest and beneficial for all parties involved.

**Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP):** Mr. Speaker, I wish I knew what the Conservatives have against this country's workers. After the tax cuts to large corporations, the subsidies to oil companies and all the inappropriate expenditures for the G8 and the G20—always with Canadian taxpayers' money—the government now wants to target our artists' income.

Many of the artists we love, admire and appreciate are not rich. The majority of them have a very modest income and, because of the nature of their occupation, it is not a stable income. They must accept contracts and work at many jobs to provide for their needs and those of their family.



### *Government Orders*

In Quebec, the average income of artists is estimated at \$24,600 per year, based on the 2006 census data. We are talking about \$24,600 to pay for rent, food and transportation, to send one's children to school and look after their needs. That amount must also cover heating costs and the material needed to create. What makes things even worse is that, with an annual income of \$24,600, Quebec artists are considered to be the richest in Canada. That same year, the average income for artists in Canada was estimated at \$22,700 per year.

These numbers reflect the reality of our actors, painters and singers. Our artists are struggling to make ends meet. While all the evidence should convince the government to provide increased support to our creators, it prefers, as in Bills C-10 and C-19, to ignore the facts and please the cultural industry's big businesses. This bill is going to hurt artists and make them poorer. And they certainly cannot afford that.

The Union des artistes is worried about its members' income and so are we on this side of the House. How can artists continue to create if they do not have the means to do so? Copyright royalties are an important source of income for Canada's creators. This government must ensure creators receive their fair share and are paid for their work.

I wish this government would take out its earplugs and start listening to the Society of Composers, Authors and Music Publishers of Canada, which is asking that the bill be amended so that artists are compensated fairly for the use of their creative work in the new media.

I also wish it would listen to the Society for Reproduction Rights of Authors, Composers and Publishers in Canada, which is telling it that this bill is going to have a significant impact on creators' income and that it needs to be amended in order to strike a balance between the interests of creators and those of consumers. Unfortunately, as with Bills C-10, C-13, C-18 and C-20, this government prefers to turn a deaf ear.

Passing this bill would have a very negative impact on our country's cultural industry, and it would have a direct impact on creators' income. Moreover, many people are worried about producers and publishers, who would not enjoy the same protection as holders of scientific patents.

We are not stupid. Canada's copyright laws need to be reviewed. Former Bill C-32 was reviewed in committee, but the Conservatives chose yet again to ignore the recommendations made by the witnesses who appeared before the committee.

• (1250)

This bill could potentially create more problems than it solves. That is why I cannot support it in its current form. Even the Union des artistes finds that some of the wording is ambiguous and that court challenges are inevitable. For example, they cite the concept of fair dealing for the purpose of education and that of reasonable grounds.

Why is this government still refusing to listen to opinions that differ from its own? Why does this government not want to work with all the players involved in copyright in order to reform it properly and adapt it to the reality of the 21st century? Such

stubbornness would not be so bad if Canadians did not have to bear the consequences of the government's bad bill. Copyright in the digital age has to build on two fundamental principles: accessibility for consumers and remuneration for the artists.

Unfortunately, the Conservative government has not respected either principle. It is directly compromising the millions of dollars in royalties artists receive under current copyright legislation, and it is encroaching on consumer rights by adopting provisions on digital locks.

The fact is that this bill gives consumers rights they will not be able to exercise. The general provisions on digital locks will allow the companies to decide which legal rights can be exercised and which cannot. This unbalanced perspective will end up harming artists and educators. That is also quite worrisome.

I urge this government, the Minister of Industry and the Minister of Canadian Heritage and Official Languages, to review this bill in light of what was said in committee during consideration of the now defunct Bill C-32 and to listen to what the artists have been trying to get across, in order to ensure that this copyright reform is balanced and beneficial to everyone.

**Mr. Denis Blanchette (Louis-Hébert, NDP):** Mr. Speaker, I would like to thank my colleague for her speech. During the speech she focused on a reality that is too often forgotten, which is that aside from the big stars, most artists and creators earn rather low incomes, often below the average wage.

I would like to hear the member talk about some consequences of this loss of revenue, for which there will be no compensation. Personally, I am afraid that we will see creators producing fewer works.

• (1255)

**Mrs. Djaouida Sellah:** Mr. Speaker, I thank my colleague for his important question. As you heard, I focused on the fact that the average artist is barely making ends meet. I was not talking about stars, nor about the people who cannot make ends meet at all. They are the people we are concerned about. Unfortunately, with this bill, major corporations will have the right to provide services and not the average artist.

That is my main concern, and this also has to do with accessibility for students. Unfortunately, after 30 days, their course books will be erased. Once again, this makes people even poorer by indirectly taking away a source of income.

[English]

**Mrs. Susan Truppe (Parliamentary Secretary for Status of Women, CPC):** Mr. Speaker, the member opposite talks about protecting the artist. The Copyright Act did not have the means for copyright owners to protect their works. At the announcement of the copyright bill, the president of bitHeads said they were losing 90% of their sales to online piracy. Does the opposition not support a law that provides more to creators and goes after the thieves, the online piracy sites?

*Government Orders*

A creator's right to protect his or her works is important. When creators cannot get the right to make a living from what they make, they will either stop creating or move somewhere else. Why does the opposition not stand up for creators? Will the member support this bill that will help owners protect their work?

[Translation]

**Mrs. Djaouida Sellah:** Mr. Speaker, I thank my colleague on the other side for her question about the protection of copyright.

Unfortunately, as we have already heard, this bill does not really benefit creators. It gives more latitude and powers to major corporations. I understand and I am also concerned about piracy. However, as my colleagues mentioned this morning, young people say that they can break digital locks. The digital locks we have been talking about will not be very useful for the average creator and producer. We are not talking about stars of Hollywood proportions.

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, I have one preliminary remark. I simply must comment on the fact that this important debate on the future of culture in Canada and in Quebec is mostly taking place on one side of the House. Most Conservative members are rising to defend the government's bill.

The New Democrats are standing up to defend creators and artists, but the Conservatives are sitting in silence, even though it is their bill. Since they are already aware of how damaging the bill is going to be for our creators and artists, they are remaining silent, and are not bothering to explain the objective of Bill C-11. So we will do so, and we will put forward as many arguments as possible.

I also wish to say that I am very proud to rise today to speak about this important bill. I am proud for two reasons. First, I come from a family where culture is extremely important. My father is a writer and my brother is a musician. Because of this, I know just how important the five cents or so for radio airplay can be. I understand the importance of photocopies in a school. I know how important it is at the end of the year for writers, artists, singers, and musicians. We are not talking about a trivial amount. And yet, copyright—the rights of authors—is being overhauled and turned inside out by the bill under discussion today. Artists in Quebec and Canada are making a heartfelt plea, and I think it is important to listen to them.

The other reason I am proud to rise today to challenge and debate Bill C-11 is that I have the opportunity and the honour to represent Rosemont—La Petite-Patrie, an extraordinary riding where artists and craftspeople abound, where folks give things a try and have ideas, and where people want to express their point of view and their vision of the world. It is for them that I rise today, to stand up for their rights including their right to a decent life. I rise to stress how important it is to truly support artists and not pull the rug out from under them by cutting off their revenue streams, which are so important to these people who contribute to the soul of the Quebec and Canadian nations. Quite the contrary; they deserve a lot more recognition and respect.

In Quebec, there is an unprecedented outcry from artists, cultural groups and copyright collectives. I shall now list the associations that previously spoke out against Bill C-32 and oppose Bill C-11, which is a carbon copy of the Conservatives' former legislation.

Here is the list: the Association des journalistes indépendants du Québec, the Association nationale des éditeurs de livres, the Association des professionnels des arts de la scène du Québec, the Société de gestion collective de l'Union des artistes, the Association québécoise des auteurs dramatiques, the Association des réalisateurs et réalisatrices du Québec, Copibec, DAMIC, Artisti, the Guilde des musiciens et musiciennes du Québec, the Regroupement des artistes en arts visuels du Québec, the Société des auteurs de radio, télévision et cinéma, the Société de développement des périodiques culturels, the Society for Reproduction Rights of Authors, Composers and Publishers in Canada, the Société québécoise des auteurs dramatiques, the Société professionnelle des auteurs et des compositeurs du Québec, the Union des artistes and the Union des écrivaines et des écrivains québécois.

Why is this Conservative government incapable of listening to the people who are mainly targeted by this bill and who are saying that it is threatening artists' survival as well as culture in Quebec and Canada?

Why is this Conservative government incapable not only of listening, but also of speaking to artists, explaining its objectives and explaining why it is risking potential losses to creators of \$75 million in Quebec alone? That is serious.

The NDP condemns the 40 new exceptions in Bill C-11 concerning the free use of works. We cannot confuse free use with access to a work. It is important to provide access, but for it to be free represents the death of the artist, who would have to find a new job. That is significant.

The Conservatives have a vision of culture, but it does not include creators. Culture is important, and they will discuss it in speeches; they will say that it is nice, it is good, but when it comes to really helping people who have good ideas, who have dreams and who want to say what is in their soul and express their vision of the world, the Conservatives slash their funding and their income. What will happen? Creators are at risk of losing at least four sources of income.

First, the new private copying system is completely obsolete.

• (1300)

It offers no compensation for artists. That is the first source of income that is going to disappear for artists.

Second, since 1990, there has been a levy on blank cassettes and CDs. That is because when people make a copy of a song, they download it or they make a copy of a version they get from a friend or family member or neighbour. The artist who created and recorded the song and the people at the studio do not get anything more. That is it.

That is the method everyone had agreed on so that copyright could be shared and we could ensure that the artist and the creator earned something. Now levies on cassettes and CDs have become completely outdated. Who still buys audio cassettes today to listen to music?



*Government Orders*

Why is there no adaptation to new technologies in this bill? We are told we need to modernize. Let us modernize. Why are there no levies for MP3s or iPods? That is how young people and children use their music and listen to it now. Why are artists having this taken away from them?

In 2008, \$30 million in levies was distributed. In 2010 it was only \$10 million. Artists lost two-thirds of transfers, and there is nothing in this bill to compensate for the copies that will be made.

Royalties are being abolished for ephemeral recordings by broadcasters. In this case they will stop paying \$21 million to artists and people in the music trades. This is serious.

As well, schools and universities have to continue doing their share to support writers, the people who supply the materials found in their libraries. That represents \$10 million a year. This system has existed for a long time. It works well. We do not understand why there is a need to pick it up, tear it apart and throw it on the ground and offer no support or other compensation for artists in this regard.

So we are very concerned. The Conservatives have already cut programs that enabled our artists to go on international tours, to get exposure abroad and to take Quebec, Canadian or aboriginal culture around the globe. They have already cut that support. Today, they are cutting directly. The Conservatives are directly attacking the incomes of artists, writers, singers and creators. That is unacceptable to us.

I also wanted to stress the fact that by eliminating or jeopardizing the payment of significant amounts to creators, Bill C-11 also contributes to weakening all the copyright collective societies, and yet these societies are an essential link in the administration of copyright.

UNESCO has said of copyright collective societies that they are "one of the most appropriate means of assuring respect for exploited works and a fair remuneration for creative effort of cultural wealth, while permitting rapid access by the public to a constantly enriched living culture". That is a quote from UNESCO. Obviously, once again, the Conservative government is refusing to listen.

Creators' incomes, and the very existence of copyright collective societies, are thus jeopardized because of this government's determination to promote a single business model: the digital padlock, the digital lock, putting locks on works.

Artists do not want their works to be locked. Artists want it to be possible to distribute them and download them, but they want something in return. They want their songs to be listened to by as many people as possible, but they want to get something in exchange.

In Quebec, Luc Plamondon has been clear on this. We thought copyright was recognized by people in our society. But today, copyright is being hurt. And all the artists are the ones who will be hurt. Culture as a whole is also at risk.

Once again the government has given in to the siren songs of big business, which seems to be the only winner with Bill C-11, a bill that is totally out of whack. There are winners—the major movie studios and the U.S. movie studios. Contrary to its claims, the government is not protecting creators; it is attacking them directly.

I will stop here, but I have a great deal more to say. I urge our colleagues opposite to listen to artists, to hear their appeals and to support culture by accepting the NDP amendments to improve this bill and make it a real bill that will modernize copyright by moving into the future and not returning to the dark ages, as Marie-Denise Pelletier said in Quebec.

• (1305)

[English]

**Mrs. Susan Truppe (Parliamentary Secretary for Status of Women, CPC):** Mr. Speaker, the member opposite talked about new technologies. We know that the Association of Universities and Colleges support this bill. It said:

This bill reflects a fair balance between the interests of creators and users of copyright works and is a positive step forward for university communities across Canada. It clarifies important questions and will help ensure students and learners have access to the content they need, including digital material.

The Copyright Act currently permits certain uses by educational institutions, in many cases without payment to the copyright holder. The bill makes many of these flexible for use in the future by removing references to specific technologies such as flip charts and overhead projectors, and introduces new exceptions to facilitate new models for education outside of the physical classroom.

Does the hon. member agree that the Copyright Act must adapt to new and emerging technologies, reinforcing the government's significant investments in the Internet, infrastructure, education and skills development?

[Translation]

**Mr. Alexandre Boulerice:** Mr. Speaker, do we need to modernize the act? Yes, of course. Are some parts of the act outdated? Yes, of course. Is this a balanced bill that takes into consideration consumers, students and artists? The answer is no. This bill is completely unbalanced and represents a backward step for copyright and artists' compensation.

I believe I was quite clear in my presentation. All the associations that represent these people, in Montreal and the rest of Quebec, have told us that they are very worried and that their income will drop. There may be a group somewhere that is happy, but that does not mean that this bill makes sense, that it moves our society forward and that it promotes culture. On the contrary, we will be taking a step backward. This is an unbalanced bill that only benefits big business. Universities and the education sector do not accept this exemption. They can and they must continue to compensate the people who produce the works that they use.

• (1310)

[English]

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, the Conservative member brought up an example of how it was supported in one way. My hon. colleague had a point in saying that one person's version of fair and balanced was not necessarily fair and balanced for another stakeholder in the same group. Therein lies a broad exemption. We need to apply a test by which it would not have commercially bad implications for creators.

There are three steps in the Berne convention. This is a clear and concise way of saying that if we use this exemption and by using it, we would impede the commercial potential of a particular creator's book, for example, then that is wrong. That is not the point of the exemption. Other countries have worked their way around this and talked about it.

Not all stakeholders involved have been heard in this regard. We have different opinions from wide-ranging stakeholders, the stakeholders about which the hon. member spoke. Would he support the idea that we still have not heard enough from the people affected by, say, just the education exemption?

[Translation]

**Mr. Alexandre Boulerice:** Mr. Speaker, I thank my hon. colleague for the question. We do not want to leave any stone unturned, because many of the issues regarding Bill C-11 are very important.

The Conservative government would benefit from broader consultation, a broader public discussion. But that does not appear to be what this government wants. Instead, it prefers to steamroll everything and suppress debate. It refuses to discuss things or listen to anyone else. It is unfortunate, because this affects a lot of people in many sectors and many areas of activity in our society. This will be a fundamental issue in the years to come.

We must therefore take the time to conduct a thorough study, look at what is being done in other parts of the world, assess the interests of everyone involved, including creators, consumers and people in academia—both educators and students—and ensure that we have the best, most comprehensive bill possible, one that takes everyone's suggestions into account.

**Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP):** Mr. Speaker, today we are debating Bill C-11, An Act to amend the Copyright Act. I am part of the generation that was born with technology at our fingertips. I think many of the members on this side of the House are part of that generation and have had digital technology at their fingertips from birth. We have a great deal to offer this government, thanks to our vast experience with digital technology, when it comes to its future in relation to copyright. Any time we talk about copyright, it invariably concerns this technology.

Seeing any initiative to modernize copyright makes me very hopeful. However, when I open this bill, I see many shortcomings that will or could create problems. When I get up in the morning, I organize my entire day on my smart phone. I organize all aspects of my day, including my work, my personal life and my family life. It is

### *Government Orders*

also my source of entertainment. My entire world is becoming digitized and will become even more so.

Right now, I have the notes for my speech on a tablet computer. I can transfer data on my tablet, which I can take with me, to my office computer or to my desktop at home, for personal use. In this bill, there are grey areas with regard to the transfer of data that we purchase for personal use. We do not know exactly what will happen. That is one of my concerns about this bill. We do not know what we will legally be able to do with products we have paid for.

I am now going to talk about the impact that this bill will have on the school system. When I finished school—high school, college and skills training—I kept all my notes and all the relevant manuals that I bought or that were given to me at school. There are many that I still use. If today's students cannot use information for more than 30 days during their studies, how will they be able to do reasonably good work without paying even more? They should at least be able to use the information that they purchase throughout the entire course of their studies.

In the past, people had to fight over the two or three copies of a book that the university had and that they needed for their studies. Today, universities have implemented systems to solve this problem. The last thing we want to do is throw a wrench into this system, as my colleague mentioned earlier. We also do not want to impose time limits on the use of information that people will obtain in the future.

I am part of the generation that grew up with this technology. How can emerging artists, who are often young people, succeed if they reap hardly any economic benefit at all from their new creations? Royalties were paid to artists on videocassettes and CDs when they first came out, and that is still the case today. However, artists are receiving fewer and fewer royalties and eventually they will no longer receive any at all. It would be nice if we could adapt royalties to new technology. For example, artists could be paid royalties for every digital player to which their content is added.

• (1315)

That is something that is not in this bill. It complicates the lives of emerging artists, which are complicated enough as it is. These artists are not as well-off and they are unable to profit from their creativity and earn a living from it.

There is something else that I find a little disturbing. My colleague who spoke before me addressed this issue, which is the attitude of the current Conservative government. Right off the bat, with every bill, it systematically moves a motion to limit debate—a gag order. The government did it again with this bill. On this side of the House, we want to debate. We rise to defend our points of view, but right now we are faced with a government that does not even rise to defend its own bill.



*Government Orders*

It would be interesting to hear the Conservatives' arguments about why we should vote in favour of this bill. At the same time, we could propose amendments and they could listen in order to improve the bill. Because we agree with the idea behind it. We want to modernize the Copyright Act. However, there are some parts that need to be improved. It would be nice if the government changed its attitude a bit and was more open. It could include us in the debate, because we can do a lot to improve the bills it introduces, and it could see the other side of the story.

I want to briefly come back to the fast-changing digital technology that uses a host of products for all sorts of possible purposes. We cannot adopt just one measure for all these different products on the market. For example, if I get a product from a provider, I want to be able to keep the product I purchased, even if I have to change providers. New products come on the market and some might be compatible. If I need a new tool that has just come on the market, but my provider does not use that service, I have no choice but to change how I use my tools and change providers. Nonetheless, I want to keep my tools.

These examples show that we cannot have just one measure for all the tools we might use. There remains some work to do, because there are some matters that are not addressed in this bill.

In closing, I would like to come back to the government's current attitude. We, on this side of the House, have a lot to bring to this bill, and many others, because we are talking about the future of our country in terms of technology. That is the case, for example, with the bill on our institutions. The future of our country is at stake. It would be worthwhile to talk about this at greater length and to listen to what people have to say.

• (1320)

[English]

**Mrs. Susan Truppe (Parliamentary Secretary for Status of Women, CPC):** Mr. Speaker, I bring to the attention of the member opposite that currently those who violate copyright can be found liable for statutory damages from \$500 to \$20,000 per work. If people illegally demand five songs, for example, they could theoretically be liable for up to \$100,000. Under this bill, those who infringe for non-commercial purposes would be subject to a total award of statutory damages of \$100 to \$5,000.

Does the hon. member agree with this approach of ensuring that Canadians are not subject to unreasonable penalties for infringement for non-commercial purposes?

[Translation]

**Mr. Jonathan Tremblay:** Mr. Speaker, in fact, I was just saying that there are good measures and bad measures and grey areas in this bill. We do not disagree with everything. We have to stand up together and debate the bill in order to improve it and add things that are missing. Unfortunately, judging by the question from the hon. member from the government side, it seems she was not listening to what I was saying. She seems to be asking only about measures that the Conservatives happen to think are good. They are not listening to what we are proposing in order to improve their bill.

[English]

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, earlier the Parliamentary Secretary for Status of Women quoted from the Association of Universities and Colleges of Canada, AUCC, with respect to how much it is in support of the bill.

Interestingly enough, last week a number of us had visits from students. The students raised a very serious issue around digital locks. They said that after five days the digital lock will have them destroy their notes, and after 30 days professors who use material will have to destroy their course notes.

I do not know many students who do not refer to their material when it comes time to study for exams. I do not know many professors who, when they give their course in the following year, do not refer back to material they have previously used.

Could the member comment on the fact that this particular piece of legislation, as it is currently written, will have a serious effect on the ability of students to study and on the ability of professors to do their jobs?

[Translation]

**Mr. Jonathan Tremblay:** Mr. Speaker, it will have short-, medium- and long-term effects.

As I said in my speech, I have kept my course notes and textbooks. I remember what is in them. I do not necessarily remember the details, but I remember that a certain textbook can answer my question and I will look it up. It might be a historical fact or something else. During the education process, if we succeed one year, we continue to delve deeper in our studies the following year, but we will still need past information. So, yes, this has immediate as well as medium- and long-term effects.

• (1325)

[English]

**Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC):** Mr. Speaker, the hon. member and several of his colleagues have mentioned levies and taxes on iPods. I think it was around 2008 that the collective suggested to the Copyright Board that the levy should be \$75 for any device over 30 gigabytes. That was a few years ago.

As the NDP has put forward the idea of a levy, does it think that number still applies? Given that it was three years ago, maybe it should be a little higher.

I am curious to hear the hon. member's take on that idea.

[Translation]

**Mr. Jonathan Tremblay:** Mr. Speaker, I thank the hon. member for his question.

*Government Orders*

No, I do not believe that \$75 is a reasonable amount. However, I do feel that there should be a levy on those types of products. The NDP also believes that. I particularly like—"like" being one way of saying it—the way the hon. member delivered his question. He spoke about an tax on iPods. That demonstrates the government's attitude and desire to create an image surrounding the proposals that would create a balance between the rich and the less fortunate people in the industry. Some people like to use the word "tax" to scare people, but in reality, it is not a tax. The same decision to deal with this issue was made some time ago for blank videotapes and CDs. We did not have to pay \$50 for a videotape to record our shows.

**Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP):** Mr. Speaker, I rise today in the House to oppose the bill on copyright modernization.

It is clear that the Copyright Act needs to be amended in order to reflect our changing technology and ways of communicating in Canada. We are witnessing the transformation from print media to digital media, which has caused a profound change in the way Canadians interact with their political environment, their society and their cultural context.

In Canada, creativity, innovation, and vision are born where people live and where they identify as Canadians. All artistic works, whether they be musical, literary or in the visual arts, are based on the experiences that people have in their native regions and these experiences are important.

In my riding, Gaspésie—Îles-de-la-Madeleine, artists like Kevin Parent, Jean Lemieux, Stéphanie Boulay, and Madelinots like Georges Langford, Sylvain Rivière and many others help to share our culture with those outside our region.

Indeed, cultural events such as the festivals that take place in the Gaspé and on the Magdalen Islands are important economic and social forces in the region. Moreover, these events encourage artists to continue to be creative.

For example, the Festival Musique du Bout du Monde is one of the most popular events in my region. Held in the Gaspé, this festival showcases world beat music and also provides a forum for cultural exchanges between the Gaspé and the various cultures of the world. It is a very popular festival.

Amending the Copyright Act may have an impact on our festivals. La Virée in Carleton-sur-Mer is a festival that showcases the cultural customs of the Quebec tradition of storytelling, music and traditional dance, and circulates them more widely.

The Festival International Maximum Blues, which also takes place in Carleton-sur-Mer, is one of the best-known festivals in the region. Each year the festival presents over 50 shows.

The Festival international Contes en Îles is a major cultural event for the people of the Magdalen Islands. This storytelling festival takes place in the fall. In just six years, it has become one of the major storytelling festivals in Quebec.

These festivals are crucial to the economy of the Gaspé region and to the cultural and social development of the Gaspé and Magdalen Islands.

Unfortunately, Bill C-11 will deprive artists, such as those behind the festivals in my riding, of millions of dollars in revenue and will erode the market. This bill includes a long list of exceptions that do not adequately recognize the rights of creators. In fact, these exceptions create new ways for consumers to access protected content without simultaneously creating new avenues through which to compensate creators for the use of their work.

It seems that all the efforts put into reforming the Copyright Act in recent years have not been intended to create a balanced system that takes into account the rights of creators and those of the public. Instead, these efforts have constituted attempts to meet the demands of the major U.S. content owners. I am referring, for example, to film studios and record companies.

We all know that the vast majority of businesses in Canada are small, local or family businesses. The vast majority of artists are independent and local. These are the artists who transform culture and society and who sow the seeds, yet it is the multinational entertainment industry that reaps the financial rewards.

Canadian copyright legislation can succeed in striking a balance between the right of creators to fair compensation for their work and the right of consumers to reasonable access to content. This bill grants a number of new privileges in connection with access to content, but does not provide any alternative method of remuneration for artists.

● (1330)

That will have a significant effect on artists' ability to survive. The copyright modernization bill gives with one hand and takes back with the other.

Although the bill contains some concessions for consumers, they are undermined by the government's refusal to adopt a compromise position on the most controversial copyright issue in Canada: the provisions relating to digital locks.

In the case of distance education, for example, the provisions of the new bill mean that people living in a remote community would have to burn their course notes 30 days after downloading them. That is not an improvement over the present situation and not an appropriate use of copyright rules. A lot of people in my riding count on distance learning to finish their education. The idea that students would lose access to their course notes after 30 days is completely ridiculous. Does that mean that 30 days after a student finishes a course, the knowledge and skills they learned are no longer needed?

As a university graduate, I still have a lot of books that I bought for my studies. I have had some of those books for more than 20 years. Should I burn them? Are my university studies no longer valid because the 30 days have expired?

Will students who do not burn their notes be convicted of violating the Copyright Act? Are they going to be sent to the new prisons we have just built?



*Government Orders*

The NDP is proposing that the clauses that criminalize removing digital locks for personal, non-commercial purposes be withdrawn from the bill. We support reducing the penalties for people convicted of violating the Copyright Act, since that would prevent excessive prosecution of the public, a problem that exists in the United States.

The Conservatives have ignored the opinions of the experts who testified in committee and the conclusions of their own copyright consultations in 2009. As a result, they have presented a bill that could cause more harm than good.

The NDP believes it is high time to modernize the Copyright Act, because this bill presents too many blatant problems.

I am waiting impatiently for the return of the festivals in my region so I can once again participate in the emancipation of the culture of the Gaspé and the Islands, and also of Quebec and Canada. Our culture is always threatened by our powerful American neighbour, which will always have more resources than we have and has always had a louder voice. American multinationals are given preference in this bill. Artists' small businesses in Canada are largely small and medium enterprises. They are family businesses and regional businesses. The bill before us is going to affect the regions significantly.

We often seem to be under attack from the Conservatives. They constantly try to make us pay for the economic crisis. The people in the regions are starting to get a little impatient with waiting for the Conservative government to give them a hand. The artists in my region cannot improve their situation with the bill before us today. They are going to lose an enormous amount.

We should really be working together to protect our local culture. That is the real Canadian culture, a culture that exists in spite of all these economic and political forces. It is just about time for us to work together to restore balance here in Canada.

• (1335)

[English]

**Mr. Harold Albrecht (Kitchener—Conestoga, CPC):** Mr. Speaker, I have the privilege of working with my colleague on the procedure and House affairs committee, as well as the private members' subcommittee. I find him to be a very reasonable person, so I was somewhat surprised to hear him raise the issue of university notes. That throws a bit of a red herring into our argument today.

What we are trying to accomplish with this bill is to bring a balance between the rights of creators of material and the consumer. That is clear as one reads through the bill.

Just this morning I had the privilege of speaking to a university librarian who acknowledged that the changes in this iteration of the bill are strong evidence that our government listened to the concerns of people in our communities and have brought a clear balance back into the issue of balancing the rights of creators and the rights of consumers.

I am wondering if my colleague would agree that what is in the bill would help our university librarians and many others who are trying to balance that fine line. We need to be honest. We are not talking about confiscating someone's university notes. We want to bring a clearer balance to the imbalance that has existed for too long.

**Mr. Philip Toone:** Mr. Speaker, it is true that we on this side are open to recalibrating the way that this law is being presented. There are certain things with which we agree and certain things that we do not.

When it comes to university students, we need to be careful because these people are already disadvantaged in our society. They have a lot of challenges. They are deferring remuneration today so that they can participate more fully in our economy tomorrow. We should encourage them to the best of our ability.

I beg to differ with my colleague that, when it comes to discussing these matters with university communities across this country, I do not think we have done a fair enough job. If the government were serious about recalibrating the bill, then maybe some of its members would speak in favour of it.

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, I thank the member for so ably outlining the importance of the arts community to our communities. In Nanaimo—Cowichan, we have any number of festivals, theatre, potters and painters. In February, on Gabriola, an island in my community, we will be having an international festival of poets.

My colleague talked about the economic returns to our communities as a result of these vibrant arts and culture communities. Could he comment on the spinoffs? It is not just about payment to the artisans for the work that they do, but the spinoffs to our local communities from this activity.

Where I come from, we have many famous carvers and painters. I wonder if he could comment on the indigenous arts and the importance of balancing the need to protect their work while still looking at reasonable copyright legislation.

• (1340)

**Mr. Philip Toone:** Mr. Speaker, when it comes to artists in our regions and their impact on the culture and the day-to-day activities of the people who live in those regions are probably even more pronounced than they are in urban areas. We can never underestimate just how much of an impact they truly have.

In the areas in which I have lived, and right now in Gaspésie—Îles-de-la-Madeleine, artists are one of the main reasons that we have such a vibrant tourist industry. People come from far and wide to see the incredible art that is being produced locally. These artists have very small margins. If we do not properly address their needs, we could imperil the economies of our regions to an extent that has not been quite properly expressed in the House at this point on the bill.

When it comes to our native communities, they are already seriously disadvantaged. We can never underestimate just how much assistance we can give them so that their communities can start to flourish after so many years of oppression.

[Translation]

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, I am very pleased to rise today to address Bill C-11, the Copyright Modernization Act.

I join all my colleagues in the House in stressing the fact that this bill, as worded, poses a number of problems for our artists and for society as a whole.

*Government Orders*

We all agree that copyright modernization is long overdue, considering that the technology has been modernized. In fact, because these technologies and the Internet are evolving very rapidly, it is difficult to craft a bill that can adjust to all these changes. However, we need to take our time for that very same reason, to ensure that we do things right, that we consult with experts and that we use a logical approach considering all the available options. This is why it is necessary to make a number of changes and to strike a better balance between the rights of creators, who deserve to be compensated fairly for their work, and the rights of consumers, who want to have access to this content at a reasonable cost. The bill must also promote market innovations, instead of just creating obstacles.

The problematic clauses of the bill include, of course, those that deal with digital locks; they have been mentioned repeatedly since the legislation was first introduced. These digital locks pose problems in the educational sector but, more importantly, they deprive creators of a major source of income. Under the bill in its current form, they would take precedence over all other rights, including those of journalists and students who, for obvious reasons, should have reasonable and affordable access to this material.

My colleagues have all raised specific cases where well intentioned Canadians or students—ordinary Canadians as members opposite would say—find themselves in violation of the law because they made a personal copy of the content that they bought, or because they did not destroy class material that they have had in their possession for more than 30 days.

I have difficulty thinking of my students as criminals, when they are respectful adolescents who keep their course material in order to refer to it later and to learn more. I graduated from university more than seven years ago and still keep documents because I need to refer to them to plan courses for my students. I would be liable to imprisonment because I did not destroy these documents. I would be punished more severely than someone who assaults a child. Is this not a double standard? Is it not somewhat illogical? I think it is.

Having said that, based on what the government has been saying for a few weeks, I am convinced that it would not bring forward a bill that would make criminals of ordinary Canadians. I hope that the government will take a logical, consistent, thoughtful and critical approach to this bill. The NDP is prepared to work with our Conservative colleagues in making amendments to improve this bill.

Many of my colleagues have discussed the problems related to education and course material and therefore I will address the consequences of this bill and the digital locks, which affects the income of creators.

Canada's cultural heritage is very rich. As my colleague mentioned earlier, artists and creators teach us, inspire us and pass on values, especially among our youth, important values such as tolerance, open-mindedness, social engagement, a sense of community and many other values. In addition, Canadian culture helps us to develop our cultural identity and pride.

In addition to this social contribution, creators make an important economic contribution. Despite modest investments of \$7.9 billion in culture by all levels of government, the cultural sector generated

more than \$25 billion in tax revenue in 2007-08. The Canadian Arts Coalition, which met with several MPs, says that every dollar invested in culture generates more than three dollars in the arts. It is really a profitable investment for our economy.

• (1345)

In addition, this sector is directly responsible for the creation of many quality jobs. There are the people in box offices, radio and television hosts, journalists, computer specialists, people who work on sets and backstage and the artists themselves, just to name a few. There are also all those who publish, who build musical instruments and so on. One does not need to be a genius to understand that investments in the cultural sector help our economy. Artists also contribute in the health sector through art therapy.

Any legislation that modernizes the Copyright Act absolutely must emphasize and even encourage these contributions. Unfortunately, for most people, a career as an artist is not a high-quality job since the average salary of artists in Canada is approximately \$12,900 a year. I have several friends who are artists and even a brother who is a musician and who is currently travelling around the world. He is an ambassador for Canada on the international stage. Committed and passionate Canadians who work hard to promote their creations and who want to inspire and teach people are important in our society. They are role models for young people and ambassadors for Canada. However, they live from paycheque to paycheque and can barely make ends meet. Often, they cannot even cultivate their art because they have to work full time so that they can explore their passion and improve. Rather than remedying this situation and celebrating the considerable contribution of the cultural sector, this bill will once again take millions of dollars away from artists and creators and benefit large corporations.

Instead, we should be seeking to create new ways for artists to receive fair compensation. Adding digital locks will actually have the opposite effect. It limits the market. That is not necessary since the provisions on digital locks proposed in this bill will be among the strictest in the world. As we have said many times, this is creating all kinds of problems in the United States. Why not learn from our neighbours' experience and try to do something different and better?

With a little bit of thought, we could make this clause less strict and more reasonable so that the approach is more balanced and our creators would receive more support. It is important to protect the income sources of the creators who work hard and do not receive the recognition and encouragement they deserve, because of this type of bill and all the cuts they have experienced.



*Government Orders*

Clearly, this is a complex bill. We must find a way to manage the interests of consumers on the one hand, while protecting and supporting Canada's cultural sector on the other hand. This bill also needs to be able to respond to the rapidly evolving nature of technology and the Internet. It is very difficult to anticipate all of that. In its current version, the bill does not even meet today's needs. As my colleagues have pointed out, representatives of the cultural sector and experts are criticizing the bill. Experts appeared before the committee, but the Conservatives chose to ignore their recommendations and suggestions. Why bother calling in experts if what they have to say is completely ignored?

In light of the recent limits on debate in this House and this government's systematic refusal to listen to experts, I am very worried. I think the complexity of this bill warrants a careful review and reasoned amendments. I therefore call on the Conservatives to listen to the experts and work with the NDP so that we can make constructive amendments to this bill, which will have an impact on an entire generation and many more to come.

What message does this bill send to society, to the next generation of artists in the making, to those in our ridings, in our regions, to the people who are trying to support the local and national economy, to those whose work is showcased internationally? Many groups from Montreal, for instance, travel internationally and have boosted Canada's reputation. What will happen to those entrepreneurs?

We need to educate people, but this government has a double standard. It is not setting a very good example. This bill needs to be amended in order to move forward. We need to take the time to sit down, discuss this again and think about it very carefully.

• (1350)

[English]

**Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC):** Mr. Speaker, the hon. member spoke at one point about the importance of copyright to the economy and getting it right. Many members have spoken about the amount of consultation needed. The hon. member is new in the House so she has not been around for the last decade, when we have been discussing copyright for the four different iterations of copyright legislation that have come before the House. She was not here for the thousands of hours of consultation that went into this particular bill, or the hours and hours of debate in the House and 39 hours of testimony before committee that we have already heard. Those are numbers unheard of in my time in the House. This is about the most consulted bill that I have seen.

Most of the witnesses at committee talked about the balance in the bill and the importance of passing it quickly. I am wondering if we can count on the NDP members to actually pass the bill through the House so that we can send the bill to committee, listen to some more witnesses and hear the amendments that I imagine the NDP will put forward.

[Translation]

**Ms. Anne Minh-Thu Quach:** Mr. Speaker, I want to thank the hon. member opposite. Yes, we are new, but we have experience and we interact with artists. I am a teacher and I have used material created by artists. I know how important it is, in terms of economic balance, for creation to continue and for the work of the artists to be

recognized for what it is worth. They have to be given more funding, not less funding, with a larger share going to corporations, as the bill currently provides.

It is complex and a number of people are feeling trampled on because of this bill. There is something not quite right. Consultations were indeed held on the matter of the digital locks, but the technology has advanced quite a bit since then. Like the Internet, technology has become more digitized in the past few years. There are more and more new technologies. The proposals also have to be new and take into account these new developments.

[English]

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, there are a number of items that this Parliament and previous Parliaments have dealt with. One that comes to my mind is an end to child poverty. We debated that in this country for a long time, but I do not see a bill before us to say we are going to take action on it right now.

Even though some of the concepts in this bill might have been discussed earlier, this is a new bill before a new Parliament. Therefore, how does my colleague see the impact of the bill not only on artists, but also on students?

• (1355)

[Translation]

**Ms. Anne Minh-Thu Quach:** Mr. Speaker, I want to thank the hon. member for raising this very important point for students. They are getting an education and do not yet have steady, well-paid employment. It is outrageous to have digital locks on the work they access digitally and for them to have to pay to continue benefiting from that material after 30 days. They do not have the means to keep paying for 30 more days. They need affordable, permanent access to the material because their schooling lasts more than 30 days. We have to balance all these complex aspects with respect for the work of the artist, who should be paid fairly.

[English]

**The Acting Speaker (Mr. Barry Devolin):** Resuming debate. We have about three minutes left in government orders.

The hon. member for Timmins—James Bay.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I am very proud to rise in the House as the digital affairs critic for the New Democratic Party on the issue of copyright.

I have been involved in the issue of copyright in this House for seven years and I have seen somewhat of a transformation in terms of the understanding of Parliament when it comes to copyright. Unfortunately, with the bill, we still see that on key elements the government does not get it.

If we go back to 2004, the idea of a digital culture that was being told to us by the lobbyists was that of a great cultural tsunami that would wipe out everything that was special about Canadian culture. They tried to constrain the digital environment as it somehow was a threat. However, we saw it in the New Democratic Party as probably the greatest platform for the distribution of ideas and culture since Gutenberg got his Bible.

I want to be fair to all parties. We have moved down the road in terms of understanding that the digital culture is not, as the recording industry used to say, the toothpaste they were going to put back in the tube or the genie to be put back in the bottle. We were going to have to find a way to adapt, as we have done time and time again with copyright. However, what is missing in the bill are two key elements that make copyright work.

One element is the understanding of remuneration of artists. We have to be able to monetize how artists' materials are being transmitted. That is the fundamental principle of copyright, yet we see within the bill time and again the traditional royalty payments to artists being erased. That is not a balance. That is creating an incredible disequilibrium in the artistic and creative community.

The other element is access, the ability of people to access works. The Conservatives' position is to put a digital lock on products and let the market decide. That would create a two-tier set of rights where Parliament would establish which rights citizens can have. For example, a blind student could access work in an analog format, but if there were a digital lock on it, that right would disappear. In a parliamentary system, we cannot create a two-tier set of rights. The digital locks cannot override the rights of Canadians.

The obsession of the Conservatives that digital locks would somehow create a better market does not stand up to the test. Our WIPO competitors around the world have adopted standards on digital locks. Under the WIPO treaty, specifically in articles 10 and 11, countries are given the right to establish digital locks to protect property from being stolen, but the exceptions that are created in a parliamentary system are a citizen's right.

Most of our competitors have adopted that model. The Conservative government is actually going backwards and would put artists and consumers in a worse position.

**The Acting Speaker (Mr. Barry Devolin):** Order, please. I must interrupt the hon. member for Timmins—James Bay. He will have seven minutes remaining when this matter returns before the House.

## STATEMENTS BY MEMBERS

• (1400)

[Translation]

### CIAX FM

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, I would like to take this opportunity to highlight the 10th anniversary of the creation of CIAX 98.3 FM, a community radio station that plays an essential role in the community of Windsor and the Val-Saint-François region. Ten years ago, a group of friends, Julie Lupien, Jean-François Fredette, Gaétan Graveline and Patrick Lévesque, created this community radio station in order to enable young people to go back to work or back to school. With support from the community, they rolled up their sleeves and created a service that the community can no longer live without.

Over the years, volunteers of all ages have helped create various types of programming that meet the needs of the cultural, community, political, sports, education and business sectors, just to

name a few. I congratulate the volunteers and creators of this radio station for their commitment to maintaining this communication tool, which is much appreciated by the listeners. Long live CIAX FM.

\* \* \*

[English]

### R.B. BENNETT

**Mr. John Williamson (New Brunswick Southwest, CPC):** Mr. Speaker, some prime ministers have provided the leadership that makes our country great. One such leader was the Right Hon. Richard Bedford Bennett, a son of New Brunswick and a westerner by adoption.

R.B. Bennett was prime minister from 1930 to 1935 and was elected after campaigning to fight the Great Depression.

Upon winning office, he allocated aid to the unemployed and continued this with the Relief Act of 1932. He addressed the country on radio, promoting minimum wage, unemployment insurance, health care and the regulation of banks, all early examples of modern public policy.

Prime Minister Bennett created the Bank of Canada, the Canadian Radio Broadcasting Commission, later the CBC, and the Canadian Wheat Board, although membership then was voluntary.

Importantly, he signed the Statute of Westminster, making Canada fully independent and equal in status to Great Britain.

It is time that recognition be given to Prime Minister R.B. Bennett who achieved so much despite enormous obstacles.

I fully support the effort to have a statue erected on Parliament Hill to commemorate his contribution to Canada and call upon our government to join this bipartisan campaign. The time for a statue of R.B. Bennett is now.

\* \* \*

### PATHFINDER YOUTH CENTRE SOCIETY

**Mr. Jasbir Sandhu (Surrey North, NDP):** Mr. Speaker, youth gang prevention programs are critical for the future of our children and the safety of our communities.

The Pathfinder Youth Centre Society is an important organization in my community that helps at-risk youth by teaching them conflict resolution, personal responsibility and job skills while helping to build their self-esteem and confidence.

Cost-effective crime prevention programs like Pathfinders help our youth stay out of gangs and in school.

Unfortunately, I recently learned that the Conservative government will soon be cutting most of Pathfinders' federal funding.



### Statements by Members

The Conservatives' out of touch approach to crime ignores crime prevention and the safety of our communities. I urge them to restore funding to Pathfinders and support organizations like it across the country.

\* \* \*

### HUMBER COLLEGE

**Mr. Bernard Trottier (Etobicoke—Lakeshore, CPC):** Mr. Speaker, I rise in the House today to celebrate the official opening of Humber College's newest building, the Lakeshore Commons, at the college's Lakeshore campus.

The Lakeshore Commons is the new hub for student interaction and learning. As the new campus centrepiece, surrounded by an academic village of nine historic buildings, this facility is fully electronic, built to LEED Silver standards and features the centre for digital and media communications.

The Lakeshore Commons will serve students in the schools of community and social services, liberal arts and sciences, media studies and information technology, and the business school.

The Lakeshore Commons received a Government of Canada investment through the knowledge infrastructure program. The Lakeshore Commons was built in less than two years and generated more than 600 jobs during construction and post-construction.

In Ontario, the Government of Canada is investing \$800 million in 56 knowledge infrastructure projects. Our government has invested in innovation and knowledge infrastructure to set the foundation for economic prosperity.

The program is creating jobs and generating the advanced technological infrastructure needed to keep Canadian institutions at the forefront of scientific advancement and to ensure economic growth into the future.

\* \* \*

### IRAN

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, the presence in Canada of Mr. Mahmoud Reza Khavari, who has exercised a leadership role in Iranian banks that have been sanctioned by the United States, the European Union and the United Nations for their financing of Iran's nuclear weaponization program and terrorist activities, is most disturbing.

In particular, Mr. Khavari would have had knowledge of, if not influence over, transactions of such state sanctioned banks, including those with the Iranian Revolutionary Guard Corps, which emerged as the epicentre of the Iranian nuclear, terrorist and domestic repressive regime.

● (1405)

[Translation]

Canadians are troubled, and rightly so, by the ties between Mr. Khavari and these dangerous elements of the Iranian regime. The government must take action to determine the exact ties between Mr. Khavari and the Islamic Revolutionary Guard Corps as well as the specific nature of his business with the Iranian regime and take

the appropriate measures once the results of the investigation are known.

\* \* \*

[English]

### SHIPBUILDING INDUSTRY

**Ms. Wai Young (Vancouver South, CPC):** Mr. Speaker, I rise today to acknowledge the immense contribution that our government recently made to the future of my city, province and country. After a fair, transparent and competitive process, the shipbuilding secretariat announced an \$8 billion contract to Vancouver's Seaspan Marine Corporation. This announcement was met with jubilation across British Columbia. I applaud our government for its success in implementing a fair and transparent arm's length process.

As we have heard, this decision has been great news for Canadians, British Columbians and Vancouverites. By some estimates, our national shipbuilding procurement strategy will create 15,000 good jobs over the next 30 years, revitalizing our Canadian shipbuilding industry.

While the parties in opposition have no plan for growing our economy and creating jobs, our government supports job growth, delivering on our promise to create good jobs in high tech industries across Canada, and to provide much needed ships for the Canadian Navy and Coast Guard.

I join the people of Vancouver South in congratulating Vancouver's Seaspan Marine Corporation for its most successful bid.

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### AFFORDABLE HOUSING

**Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP):** Mr. Speaker, this week we marked National Housing Day. Safe and affordable housing is a major issue in my constituency and, sadly, is something that far too many Canadians go without.

In recent months, municipal authorities in Toronto have taken the steps to sell up to 2,356 public housing units in my constituency alone to address budget shortfalls, displacing 2,356 families in my community. Further, many of the residents in these units that are up for immediate sale were not even informed that they were going to be sold.

Safe and affordable public housing in communities like mine and the people who occupy these units have been neglected and pushed aside to prioritize budgetary concerns and deficit problems. Budgets are being balanced on the backs of the poor and vulnerable.

Today I call upon the government to take action to make safe and affordable housing a reality for all Canadians. I call upon my colleagues from all sides of the House to support the establishment of a national housing strategy.

Let us ensure that no—

**The Acting Speaker (Mr. Barry Devolin):** The hon. member for Langley.

## UKRAINE

**Mr. Mark Warawa (Langley, CPC):** Mr. Speaker, in 2008 Canada's Parliament unanimously passed a bill to recognize the Ukrainian famine of 1932-33 as an act of genocide. The horrific truth is that millions of Ukrainians were starved and murdered by Stalin's communist regime. That genocide is known as Holodomor.

Last year I was honoured to stand with our Prime Minister, the member for Selkirk—Interlake, and Senator Andreychuk at the national Holodomor memorial in Kiev during Canada's official visit to Ukraine. The Prime Minister placed a symbolic jar of grain at the memorial and stood with Ukrainians to remember Holodomor.

The Government of Canada is committed to remembering the victims of Holodomor and to increasing international awareness of genocide and the dignity of life in Canada and around the world. May atrocities like Holodomor never happen again.

*Vechnaya Pamyat*, in eternal memory, to Ukrainians who perished in Holodomor.

\* \* \*

## SKI TOURISM INDUSTRY

**Mr. Blake Richards (Wild Rose, CPC):** Mr. Speaker, it is my pleasure today as chair of the parliamentary tourism caucus to congratulate Senator Nancy Greene Raine and her husband, Al Raine, on the lifetime achievement award they will receive tonight at the TIAC Canadian tourism awards.

Senator Greene Raine and Mr. Raine are two of the true pioneers of Canada's ski tourism industry. They were instrumental in the early development of Whistler Blackcomb and Sun Peaks Resorts in British Columbia. The senator is, of course, also an Olympic ski racing champion, who continues to hold the Canadian record for the most World Cup victories. She is an Officer of the Order of Canada and was named Canada's female athlete of the century in 1999.

Together, this couple's contribution to the development of B.C.'s ski industry and its integration with the broader tourism sector has helped create an unparalleled experience for visitors and tens of thousands of jobs for Canadians.

I applaud their contributions to our tourism industry.

\* \* \*

● (1410)

## YEMEN

**Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP):** Mr. Speaker, I rise today to congratulate the people of Yemen, whose peaceful revolution has resulted in a deal that will see President Saleh finally step down after nine months of protests.

The struggle for peace in Yemen is not over. The president's family members are still in key positions in the government and the military, and Saleh himself has been granted immunity. The regime still stands, yet an important first step has been taken. We call on all parties to respect the agreement.

On Tuesday I met with members of Yemen's opposition who noted that Yemen is entering a new political chapter, and they will

## Statements by Members

need the help of Canada. Canada must now work to promote democracy in Yemen.

New Democrats stand in solidarity with the people of Yemen, and offer them our best wishes as they continue their non-violent struggle for peace and justice.

\* \* \*

## GREY CUP

**Mr. James Lunney (Nanaimo—Alberni, CPC):** Mr. Speaker, on Sunday afternoon Canadian fans are set for the football showdown of the year at Vancouver's B.C. Place as the B.C. Lions compete for their sixth Grey Cup, this time on home field.

After a slow start to the season, Lions roared back to win 11 of their last 12 games. Lions fans have had lots to cheer about watching our team finish first in the regular season and clinch the western final last week against Edmonton.

Under the direction of head coach Wally Buono, I am sure we will see plenty of offence from Arland Bruce, Paris Jackson, Geroy Simon, quarterback Travis Lulay, and field goal specialist Paul McCallum.

Vancouver Island Raiders alumnus Andrew Harris, number 33, has had a great season with the Lions, and thousands of fans from Vancouver Island will be cheering him on.

Lions are hungry. Fans are revved up. Look out Bombers. Go Lions.

\* \* \*

## ACCESS TO INFORMATION

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, in the Federal Court of Appeal decision on access to information documents, the judge specifically warned against the ethics committee interfering in the work of the courts.

It is very similar to what the Parliamentary Law Clerk said warning against Conservative interference. Yesterday the Information Commissioner warned against Conservative interference.

If the Conservatives have truly had their road to Damascus moment when it comes to access to information, they need to show more of a true and humble conversion, and maybe they could look at their own backyards.

The Information Commissioner has said the Conservative ministers are a "black hole of accountability". She listed their failures as "off the chart" and a "red alert". The commissioner even calls the Prime Minister's own department as the "antithesis of the duty to assist".



*Statements by Members*

We all know these out of touch Conservatives have one set of rules for themselves and one set of rules for everybody else, but I would suggest that they take a bit of a pause from their full out attack on the CBC, and begin looking in their own backyards and deal with their own black hole of—

**The Speaker:** The hon. member for Selkirk—Interlake.

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**GREY CUP**

**Mr. James Bezan (Selkirk—Interlake, CPC):** Mr. Speaker, out in B.C. they may have flirted with an orange crush earlier this year, but in 1958, 1984, 1988 and 2011 Conservatives won strong, stable majority governments.

In 1958, 1984 and 1988 the Winnipeg Blue Bombers won the Grey Cup. It is 2011 and the Bombers are going to win the Grey Cup on Sunday, too.

We Manitobans love swaggerville and 2011 has been a great year for the Big Blue, much like another Canadian political team associated with the colour blue.

In fact, 2011 has already been a great year for Winnipeg and Manitoba sports fans. It is going to get even better this weekend as I join football fans cheering on the Bombers in B.C. Place.

We are ready for our first Grey Cup in 21 years. With the leadership of our CFL all-stars Brendon LaBatte, Odell Willis, Jovon Johnson, Jonathan Hefney, and Ian Logan, we will remind all Canadians that blue, not orange but blue, is Canada's colour.

There is no better way to celebrate our final season in our team's old home than by winning it all. Go, Bombers, go.

\* \* \*

[Translation]

**RENÉ MAHEU**

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, René Maheu passed away on November 12, surrounded by his children and loved ones. René was the husband of our late colleague Shirley Maheu. For decades, René was one of the most active volunteers in Saint-Laurent, volunteering for the chamber of commerce, the optimist club, the United Way and the hospital foundation. In addition, René was the chief organizer for the Liberal Party of Canada in Saint-Laurent—Cartierville, in election after election, fundraiser after fundraiser, and one membership campaign after another. He did all this without complaint and with his nose to the grindstone because he believed in his party and his member of Parliament. Even on his death bed, he wanted to make calls about a benefit for the party.

In addition to René Maheu, I want to thank all of the party faithful—the supporters of all democratic parties—who, spurred on by their convictions, advance our democracy. They are what fuel our democracy, a forever-renewable energy, that is, as long as we keep in our hearts and minds the memory of fine people such as René Maheu.

• (1415)

[English]

**THE ENVIRONMENT**

**Mr. Rick Dykstra (St. Catharines, CPC):** Mr. Speaker, I am glad I am following the godfather of the carbon tax.

The Liberal member for Vancouver Quadra wants to punish the Canadian economy with a tax on everything. She is not alone.

The member for Saint-Laurent—Cartierville has called for a global carbon tax. Families would pay more for gas, more for electricity, and more for everything else. That is the Liberal vision for Canada. A Liberal carbon tax on everything would hurt Canadian families and job creators.

The interim Liberal leader called for the end of tax credits for children, transit users and workers. The Liberals continue to call for higher taxes on job creators. These are reminders of the Liberals' hidden agenda of imposing a massive new tax on everything if they ever get the chance.

Just like its NDP friend, the Liberal Party has no new ideas other than high taxes for Canadian families. When the Liberal member for Avalon had a moment of clarity on the issue in 2008, he said, "Liberals should not kid themselves. It's going to be a tough sell".

\* \* \*

[Translation]

**WHITE RIBBON CAMPAIGN**

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, tomorrow marks the beginning of this year's White Ribbon Campaign, a time for men to unite and say "no" to violence against women.

[English]

Of course, this landmark campaign would not have been possible in the first place without the passion and dedication of our former leader, Jack Layton. He co-founded the White Ribbon Campaign back in 1991. Working out of a bedroom in Jack's house, he created a vision where men took greater responsibility and worked together to end violence against women.

While he may no longer be with us, Jack's vision is as strong as ever. Today, the White Ribbon Campaign has spread to 60 countries, with millions of men taking up the cause.

Starting tomorrow, I encourage all men to don a white ribbon and stand up against gender violence.

[Translation]

Violence against women can never be justified. It is up to all of us, men and women together, to put an end to it once and for all.

[English]

## NEW DEMOCRATIC PARTY OF CANADA

**Mr. Rodney Weston (Saint John, CPC):** Mr. Speaker, the NDP recently voted against helping the manufacturing sector stay strong; against helping small businesses hire more people; against tax credits for families, like the family caregiver tax credit and the children's arts tax credit; and against the volunteer firefighters tax credit.

The NDP opposes creating jobs. Then, to drive the point home, its members go abroad and attack Canada.

The NDP chooses to side with a small group of activists protesting against our energy resources. However, it also opposes other industries, such as mining, sealing, forestry, auto manufacturing, and trucking, just to name a few.

The NDP also wants to hit families and job creators with a job killing tax hike that would hurt our economy and set families back.

Undermining the economy and attacking Canadian jobs are yet more worrying examples that the ineffective, disunited NDP is unfit to govern.

## ORAL QUESTIONS

[English]

### HEALTH

**Mrs. Nycole Turmel (Leader of the Opposition, NDP):** Mr. Speaker, provincial health ministers are meeting today and they will be joined by their federal counterpart tomorrow. The NDP believes that privatization should be off the table.

The government should bring forward a 10-year health accord proposal, including a 6% escalator of the federal contribution. In return, we need a clear, monitored and enforced commitment to respect the Canada health accord.

Does the Prime Minister agree?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, as we have said before, health care is one of the most important services that governments deliver to the people of Canada. That is why this government has been firm in its commitment to health care funding and to the Canada Health Act and to supporting those provinces that have engaged in alternative service delivery to improve service and universal access to Canadian patients.

• (1420)

[Translation]

**Mrs. Nycole Turmel (Leader of the Opposition, NDP):** Mr. Speaker, if the Prime Minister is committed to supporting the provinces, he should be able to tell us his position.

What is he bringing to the table? More specifically, what will be the term of the next accord? What escalator is he proposing? And will he commit to closing the door on privatization? Canadians want to know the Prime Minister's position.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, this government has increased provincial health transfers to record levels. We strongly support our health care system. We are

### Oral Questions

working with those provinces, including Quebec, that have used alternative service delivery to improve universal access to our health care system.

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### PRESIDENT OF THE TREASURY BOARD

**Mrs. Nycole Turmel (Leader of the Opposition, NDP):** Mr. Speaker, on another matter, why does the Prime Minister continue to defend his President of the Treasury Board?

In committee, we asked the minister if he would table all the documents sent to his office. In committee, he said yes. He said "sure" twice. Not once, but twice. Not only has he not tabled the documents, but the minutes were changed and he has the gall to ask for an investigation into the matter.

Does the Prime Minister realize that this farce has gone on long enough?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the President of the Treasury Board has already answered these questions about these documents. He has already sent the documents requested by the Auditor General to the Auditor General's office.

\* \* \*

[English]

### G8 SUMMIT

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, yesterday the Muskoka minister made the claim, "the documentation that was in my purview was forwarded to the Auditor General, who had access to all documentation". That is simply not true.

Here is what the Auditor General said, "We received a small amount of documentation, which wasn't directly relevant".

Therefore, why is it that, even as he is trying to protect his privileges, he cannot give the House a straight answer? When will he bring forward the documents that he has been hiding, just as he promised to our committee?

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, the allegations from the hon. member are not true. I answered all the questions that were put to me at two committee meetings, 75 questions in all. I have co-operated fully with the Auditor General. The Auditor General, in her conclusions, made clear there needed to be more official documentation at the intake stage of projects. However, the Auditor General also made clear that all documentation for the approved project proved that all dollars were accounted for.



*Oral Questions*

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, it is the Pinocchio principle. The Auditor General said that the rules were broken. The minister told the committee that he had nothing to do with the review of 242 projects and no role in deciding which ones to support or reject. That is simply not true. We have a letter from his office, sent to Muskoka Lakes, telling him that he reviewed its project and he rejected it.

Therefore, why was this letter not given to the Auditor General and when will he live up to his promise and give over those documents that he hid from the Auditor General?

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, this is the same line of questioning that the hon. member pursued at committee. At that time, my hon. colleague, the Minister of Foreign Affairs, indicated that he made the final decisions on all projects.

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**THE ECONOMY**

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, economic risks are getting worse across Europe. The contagion has moved from Greece and Italy into Spain and Portugal and maybe France. Now even Germany is having trouble selling its bonds.

Here in Canada, unemployment is going up, while job quality is going down. There are nearly 600,000 fewer full-time jobs in Canada today than just before the recession began in 2008.

Will the government stop making things worse and cancel its job-killing payroll tax increase that is planned for January 1? Just stop it.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, once again, there are 600,000 more people working in Canada than there were during the recession. We are one of the very few western countries to have achieved that outcome.

We are obviously very concerned about the situation in Europe. That is why we have announced the employment insurance position that we have, which has been very well-received by the small business community in the country and which certainly opposes the Liberal idea of a 45-day work year that would add 65¢ to EI premiums.

● (1425)

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, small business says, "Freeze the premiums. Don't raise them by \$600 million".

Even with all of their economic trouble, the Americans do better than Canada on productivity growth. Therefore, facing this challenge, plus more global risk, more unemployment, a more vulnerable middle class, what does the government choose as its leading priority? Bigger jails. Its policy for affordable housing and mental health seems to be bigger jails. Its policy for aboriginal training and jobs is bigger jails.

Why is the government putting prisons ahead of schools? Think what that \$13 billion could do for education and productivity.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, for this government, jails in our country are only for violent and repeat criminals. That is the policy of this government.

Obviously for the population at large, this government is dedicated to the creation of jobs. That is why we were elected. That is the platform on which we ran. That is what we will do.

I know the Liberal Party will vote against the creation of jobs, but that is why it will continue to sit in the far corner of the House of Commons.

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, complacency is never good policy, especially when economic risks are rising and the gap between the very rich and everyone else is getting wider. Household debt is record high. Ten percent of Canadian kids live in poverty. Food banks are in growing demand. However, children in low-income families cannot qualify for the government's tax credits. Low-income firefighters cannot qualify. Low-income home caregivers cannot qualify.

Why are Conservative tax credits designed deliberately to exclude low income Canadians?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, this government recently passed a series of budget measures to help Canadian families, to provide tax credits for things like kids' education, to provide tax breaks to small business for new hiring. However, the Liberal Party of Canada, in its obstinate way, continued to oppose these measures, which are widely supported by Canadian families and Canadian business.

We are proud to be on the right side of these issues.

\* \* \*

**JUSTICE**

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, yesterday the Prime Minister pointed to an important study by Justice Melvin Nunn to justify his misguided prisons agenda. However, today Justice Nunn is contradicting him, saying that he does not agree with the heavy-handed approach and that the government is going too far.

Is the Prime Minister now going to ignore Justice Nunn on youth justice?

When will the government finally see reason, abandon this misguided and costly prisons agenda and focus on hiring more police officers and take other preventive measures like the opposition has been suggesting?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I appreciate the NDP members have trouble fighting crime on any particular level, but I am quite surprised that they would specifically mention the Nunn report.

The bill that we have before Parliament right now targets those individuals who were zeroed in on by the Nunn report, a small group of out-of-control young people who are a danger to the public and a danger to themselves.

This is why I am so proud to be a part of this party. We were elected on a mandate to fight crime. That is exactly what we are doing.

\* \* \*

### FIREARMS REGISTRY

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, Justice Nunn is not the only one the government is ignoring. Victims of gun crime are here today in Ottawa desperate to be heard.

The Steyr HS .50 sniper rifle can pierce an armoured target from a kilometre and a half away. The Ruger Mini-14 has killed before. However, we are losing our last remaining safeguard in this legislation. Anyone will soon be able to sell these rifles and dangerous shotguns on the street without even checking for a valid gun licence.

In 2006 the government included safeguards for rifles being bought and sold. This time there is no such luck. What has changed?

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, we understand the NDP is opposed to the abolition of the long gun registry, which targets ordinary law-abiding citizens. In fact, the member is incorrect. It is against the law to sell firearms to an unlicensed individual. There is a penalty of up to five years for that.

The member knows that and yet he makes that kind of a statement.

[Translation]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, a dangerous loophole in the bill to abolish the firearms registry could enable people without valid permits to purchase firearms such as semi-automatic rifles. Gun vendors will no longer be required to verify whether buyers have a permit.

Today, the Groupe des étudiants et diplômés de Polytechnique pour le contrôle des armes, the Fédération des femmes du Québec and the Association québécoise de prévention du suicide came to Ottawa to express their outrage. The government is leaving the door wide open for criminals and is abandoning victims. That is shameful.

Will the government wake up before it is too late?

● (1430)

[English]

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, selling a firearm to someone without a licence is a crime. If people do so, they will be held accountable to the full extent of the law. Again, the member knows we are doing nothing in that respect by abolishing the long gun registry.

Rather than misleading people, I would ask her to get on board and work with us to target real criminals. That actually helps victims from becoming victims again.

\* \* \*

### JUSTICE

**Ms. Françoise Boivin (Gatineau, NDP):** I recommend the minister read his own law.

### Oral Questions

[Translation]

This government, in the name of standing up for victims, is forcing a misguided crime bill on us that is based on personal observations instead of scientific studies. So much for being tough on crime.

The only study they have is from Justice Nunn, an expert on youth justice. This study does not have to do with every aspect of Bill C-10. In fact, this judge has been very critical of certain provisions of this bill.

Could the government give us just one scientific study in support of this bill?

[English]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, we have had input right across the country. I was very pleased, for instance, to get the input of the NDP in Manitoba, which has encouraged us to move forward on these initiatives. I can see that does not impress the hon. member.

The bill is very targeted. It goes after drug traffickers and those who would molest children. It sends out the right message.

The hon. member talks about victims. I am proud to be a part of the only party that stands up for victims and law-abiding Canadians in our country.

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### GOVERNMENT APPOINTMENTS

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, every day Canadians learn of more pork patronage from that out-of-touch government. Today, its defeated Conservative minister, Jean-Pierre Blackburn, could soon be jetting off to UNESCO in Paris thanks to his buddies.

Appointing Conservative friends to important posts undermines all appointments. Why is the government using the Alfonso Gagliano approach to rewarding failed ministers? When will the government clean up appointments and establish a public appointments commission like it promised?

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, our government has committed very strongly to improving the quality of public appointments. We are very proud of the appointments we have made so far.

In terms of the public appointments commission that has been referenced by the opposition member, we attempted to establish that. Last I checked, it was the opposition that blocked it from being put into place.

[Translation]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, it is hard to be convincing when you are not convinced. I would also remind the House that the Prime Minister promised not to appoint any new unelected senators. Yet one of the first things he did after the election was to appoint not one, not two, but three defeated Conservatives to the Senate. By appointing their friends to various positions, the Conservatives are doing exactly the opposite of what they promised Canadians.



*Oral Questions*

Will the Conservatives stop giving their defeated candidates promotions, or will they simply continue this culture of entitlement and giving gifts to their friends?

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I welcome the NDP's support for an elected Senate. It is a good idea, and I encourage the NDP to support our bill, which, once law, will allow for such appointments.

\* \* \*

[English]

**AUDITOR GENERAL**

**Mr. Malcolm Allen (Welland, NDP):** Mr. Speaker, after several damning reports pointing out their mismanagement on important files like military procurement, the Conservatives are now proposing to cut the Office of the Auditor General. Our new AG's first task is to cut 60 jobs.

That is quite a coincidence, just days after the AG's fall report described some government spending as "disturbing". What does the Conservative government have against being audited?

• (1435)

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, as President of the Treasury Board not only did I take it upon myself to be part of the process that is reviewing 67 government departments and agencies, but I also wrote to various other officials and agencies that could also, on a voluntary basis, contribute to making sure that the government spends within its means. That includes the Speaker of the House and the Auditor General. I think that is fair. I think it is fair that we all work together.

When is the NDP going to join us in coming up with solid, decent proposals to help make sure the government spends within its means?

**Mr. Malcolm Allen (Welland, NDP):** Mr. Speaker, auditors find problems with the government, and that is where it could actually save the money to make sure those 60 jobs stay intact and that the savings are passed on to Canadians.

To quote the Auditor General, some government projects were "so poorly monitored that some producers made business arrangements that undermined the program".

With these types of conclusions on recent Conservative mismanagement of government programs, why is the government cutting the budget of the major accountability watchdog agency? What is it trying to hide?

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, nothing could be farther from the truth.

We feel it is important to continue on with a low-tax agenda that creates jobs and opportunity in our economy and to make sure that the government and all of its relevant agencies spend within their means.

The NDP wants to raise taxes. The NDP does not care about jobs for citizens; we do, and we are going to continue, because we have the mandate from the people to do so.

[Translation]

**Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP):** Mr. Speaker, if the government wants to convince us that it has nothing to hide, it will have to give us better answers than that.

We learned recently that nearly 20 annual audits of small boards, agencies and tribunals will be withdrawn from the Auditor General's program. The Auditor General conducts very important, independent audits, like the one that found inappropriate behaviour on the part of the Public Sector Integrity Commissioner.

Will those budgets also be cut? What is this government trying to achieve with that? Perhaps it is because the government would prefer that no one be able to check its books.

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, Canada is not immune to the problems that other countries are facing. Canadians gave us a strong mandate to protect and complete Canada's economic recovery.

[English]

We are carrying out that agenda, the agenda of the people. It includes lower taxes. It includes focusing on jobs and opportunity. It includes government spending within its means.

\* \* \*

[Translation]

**JUSTICE**

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, Quebec's justice minister, Jean-Marc Fournier, has repeatedly asked the government to table studies to support Bill C-10, saying "Frankly, I cannot accept that we are making laws on criminal justice issues... guided by just personal observations".

When will the government table these studies and recognize that bills have to be based on hard facts?

[English]

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, as I pointed out to the Attorney General, we had a look at the Nunn report and received suggestions from there. I went across Canada, every province and every territory, and received input with respect to the Youth Criminal Justice Act. I have consulted with provincial attorneys general.

Most importantly, we consulted with the people of this country with respect to our agenda in this area, and they gave us overwhelming support. I am very grateful for that.

*Oral Questions*

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, the Minister of Justice, as all ministers of justice, has a duty to ensure that all government legislation comports with the Canadian Charter of Rights and Freedoms, yet Bill C-10 raises serious constitutional concerns, including the risk of cruel and unusual punishment due to prison overcrowding, gross and disproportionate sentences, overly broad and vague offences, and disproportionate effects on already vulnerable people, such as aboriginals.

Will the Minister of Justice commit to tabling before the House a review of the constitutionality of Bill C-10 respecting these concerns and ensure that none of—

**The Speaker:** Order. The hon. Minister of Justice.

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, the provisions in the bill are very reasoned and well proportioned, and they send out the right message. For those people who are in the business of molesting children, there will be jail time. For those people who are part of organized crime, we are sending out the message that if they bring drugs into this country, they are looking at jail time. This complies with the charter and the Canadian Bill of Rights.

We have been given a mandate by the Canadian people to proceed in this direction, and that is exactly what we are going to do.

\* \* \*

• (1440)

**THE ENVIRONMENT**

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, I have a simple question on ozone monitoring based entirely on what the Minister of the Environment himself has already said.

In the House he said that his cuts are simply consolidating and streamlining duplicating measurements, but in his own signed order paper answer, hopefully not an unreliable source, he states that: “These measurements complement, but do not duplicate each other”.

Can the minister please clarify for us whether the two measurements that his department uses, ozonesondes and Brewer, are complementary or duplicated?

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, I would suggest that my hon. colleague spend less time trying to mine past statements to prove some dire hypothetical outcome. The simple message that my colleague should hear, digest and accept is that Environment Canada will continue to monitor ozone.

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**HEALTH**

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, as health ministers meet this week, Canadians are looking for leadership from the federal government, not only on the upcoming 2014 health accord but also on the lack of action from the 2004 accord. It is clear that the government has dropped the ball on health care. Right now, five million Canadians do not have a family doctor.

I ask the Minister of Health: what is she going to do now to meet the commitments of the 2004 health accord?

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, of course I do not accept the premise of that question. The minister will have the opportunity to meet with health ministers tomorrow to discuss what we have learned from the 2004 health accord. Our government is committed to a universal and publicly funded health care system and the Canada Health Act. We are committed to continuing the 6% escalator to the provinces and territories.

The upcoming discussions will be about accountability and results for Canadians, because that is what they want, which will include better reporting from the provinces and territories to measure that progress.

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, Canadian families are still waiting for an affordable drug plan and long-term care and want to know why there has been no federal action on the commitments made in 2004. With an aging population, lowering the cost of prescription drugs is more important than ever. The government has had five years to act, but nothing has been done.

How can we expect leadership from the government on the 2014 health accord if it still has not delivered on the promises that were made in 2004?

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, again, our government is committed to the Canada Health Act, and we have committed to continue supporting the provinces and territories. We have delivered over 30% more money to the provinces and territories to deliver the services to Canadians, which is provincial jurisdiction, and we are having great conversations with the provinces and territories. These conversations have started two and a half years before the end of the health accord so that we can get started on the next agreements with the provinces, and we are looking forward to that.

[Translation]

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, ever since the Conservatives have been in power, they have been turning a blind eye to the pressing needs in the health care system.

Still today, 5 million Canadians do not have a family doctor. Wait times in emergency rooms are getting longer.

With the negotiations on the 2014 health accord starting this week, the Conservatives have an opportunity to work with the provinces and territories to correct this embarrassing situation. This is a critical accord.

What will this government do to guarantee Canadians real, measurable results to improve our public health care system?



*Oral Questions**[English]*

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, as I said, we have been working with the provinces and territories and following through with the accord that was signed in 2004. We are taking a proactive approach with the provinces and territories. It is two and a half years before the end of this agreement.

We have continued to support the provinces and territories with the delivery of their health care. We respect their jurisdiction and we are looking forward to their ideas and what they are finding on the front lines so that we can work together, because that is what Canadians want. They want governments to work together for the best health care system in the world for Canadians.

*[Translation]*

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, this government has not been able to keep its promises on the current health accord. That is not very proactive.

The government promised to be accountable to Canadians on the \$40 billion investments in this accord, but eight years later, the situation is far from improved.

Far too many Canadians still have to wait for surgery, others do not have access to home care, and drug insurance coverage is inadequate, to name a few of the problems.

In the negotiations to renew the health accord, will the government show leadership to ensure that Canadians can have the health care they deserve?

● (1445)

*[English]*

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, I do not know where the NDP has been in regard to health care for Canadians.

Our government has increased health care transfers to the provinces and territories by over 30% since forming government. If the NDP members were paying attention, they would know we made additional investments in pandemic preparedness, medical and neurological research, food and product safety, wait times, electronic health records and aboriginal health care. Each and every one of these things the NDP voted against.

When are they going to get onside with Canadians so that we can work together to have the best health care system available to communities?

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*[Translation]***LANGUAGE OF WORK IN QUEBEC**

**Mr. Costas Menegakis (Richmond Hill, CPC):** Mr. Speaker, recently, the media have reported some problematic situations regarding the language of work in several companies in Quebec.

Could the minister responsible for Quebec tell us whether the government intends to take action on this issue, which is so important to Quebecers?

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, the NDP has clearly not done its homework with regard to language of work.

Our government is committed to promoting and protecting the French language in Canada. I have the privilege of announcing today in the House that our government is going to set up a consultative committee that will be responsible for determining whether a problem exists with regard to the French language in federally regulated private businesses.

French is an integral part of our history, our identity and our daily lives. French is Canada's founding language, and our Conservative government is very proud of that.

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**THE ENVIRONMENT**

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, the Conservatives can call us anything they want. If they put as much effort into creating a serious plan for sustainable development of the oil sands, the United States and Europe would not be slamming the door on Canada. While they refuse to act to protect our environment, our jobs are going up in smoke.

Will the minister finally listen to what Canadians want and come up with a sustainable plan for our resources?

*[English]*

**Hon. Joe Oliver (Minister of Natural Resources, CPC):** Mr. Speaker, in a tortuous scrum yesterday, the NDP environment critic twisted herself into a pretzel of contradiction and bizarre ideas. She admits it is all about jobs, but she opposes Keystone XL, which would create hundreds of thousands of jobs in Canada. She wants refineries built, but does not want pipelines built to send the refined oil to product. Can members believe it?

I ask the member, is this total confusion or rank cynicism? Canadians—

**The Speaker:** Order, please. The hon. member for Halifax.

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, if being a grumpy old man makes one an expert on world—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please. We are not even through our second week of a five-week stretch. If we cannot get through this week, I hate to think what next week will be like. Let us have a little bit of order.

The hon. member for Halifax, and I hope she will not make personal comments about other colleagues.

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, this is the smiling face of cynicism.

This week I met with European representatives, who told me that because of the government's inaction on climate change, Europe is slamming the door on Canadian energy, which is the same reason that the Americans slammed the door on Keystone. With every door that closes, the minister is killing Canadian jobs.

When will the government clean up its act and actually support real job growth in the Canadian energy sector?

• (1450)

**Hon. Joe Oliver (Minister of Natural Resources, CPC):** Mr. Speaker, it is one thing to go to foreign countries and work against the interests of Canadian workers and those who are unemployed from coast to coast. It is another thing to insult senior citizens.

In this country we live was on the shoulders of our ancestors. How despicable—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please. The hon. member for Burnaby—New Westminster has the floor. We will have a little bit of order.

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#### EMPLOYMENT

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, we take no lessons from that minister or this failed government on jobs.

Last month the Conservatives lost 72,000 full-time jobs across the country. Seventy-two thousand families lost their breadwinner because of the government's policies. Statistics Canada announced today that real wages for Canadians went down nearly 2% over the past year under this government.

People say that Tory times are tough times, but when will they start to care about middle-class and poor Canadians? When will they get down to work on helping struggling Canadian families? Where is the jobs plan that we have been asking for in this House week after week?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, it is the one the NDP voted against on Monday night in the House of Commons. Do they remember that? They refused to support the budget.

They voted against the job creation tax credit for more than half a million small businesses in Canada. That is the part of the economy that generates jobs, the 600,000 net new jobs we have in Canada since the end of the recession.

They voted against the family caregiver tax credit, the children's art tax credit, the volunteer firefighters tax credit, tax relief for the manufacturing sector and making the gas tax fund permanent for infrastructure for municipalities.

That is where the jobs come from. Why does the member keep voting against everything?

[Translation]

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, I have seen it all. The minister does not know that the government lost 62,000 full-time jobs last month. That is unbelievable. Today we learn that Canadian workers are earning

2% less this year than last year because of the Conservatives' policies. It is very clear that this government could not care less about ordinary families.

When will the Conservatives come up with a plan? When will they take care of real people? When will they do their job, produce and create—

**The Speaker:** The hon. Minister of Finance.

[English]

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, the NDP bandies about numbers with respect to jobs, so I thought I would seek some authority about their numbers. I went to one of the large unions and the Canadian Labour of Congress's chief economist, Andrew Jackson, said that the Conservatives have the job numbers about right. He said:

[S]ince the worst part of the recession we've created 600,000 jobs. We even have more jobs in Canada than we had at the beginning of the recession.

There is a good authority you should respect.

**The Speaker:** I remind colleagues to address their comments to the chair and not directly at other members. The hon. member for Halifax West.

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#### HEALTH

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, fed up with government inaction on the critical issue of worldwide drug shortages, Liberals held a round table this morning with industry, pharmacists, academics and doctors to seek their input on the cause of the problem—

**Some hon. members:** Oh, oh!

**The Speaker:** Order. The hon. member for Halifax West has the floor.

**Hon. Geoff Regan:** Mr. Speaker, I guess they are sad that they were not invited.

One key recommendation was for Health Canada to fund a drug shortages monitoring system similar to the FDA's in the U.S.

Will the government commit to this first step, or does it still think that timely access for prescription medication, as listed in the 2004 health accord, is not its responsibility?

• (1455)

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, that was the problem when the Liberals were in government. All they ever did was hold round tables. They never took action.

Our government is way ahead of the Americans. We are playing a leadership role when it comes to the drug shortage issue around the world.

This summer the minister talked to drug companies and said that if they did not take action, the government would look at regulations.



### Oral Questions

I am pleased to report to the House that these companies have responded positively to our request. Information about drug shortages will soon be available on public websites, giving patients and medical professionals the information they need to make decisions. The final details are being worked out—

**The Speaker:** Order. The hon. member for St. Paul's.

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### ABORIGINAL AFFAIRS

**Hon. Carolyn Bennett (St. Paul's, Lib.):** Mr. Speaker, today first nations communities are taking the federal government to court in order to seek justice in the egregious underfunding of first nations schools. Communities like Attawapiskat still have no school, something which Shannen Koostachin so bravely fought for.

Provinces typically spend about \$12,000 per student in non-aboriginal schools. The federal government spends only \$8,000 per year per student in first nations schools.

Will the Minister of Aboriginal Affairs and Northern Development acknowledge that this funding inequity is actually discrimination, and commit immediately—

**The Speaker:** The hon. Minister of Aboriginal Affairs and Northern Development.

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, in terms of first nations education across the country, we have obviously taken this very seriously. We have made it a priority.

I cannot comment on the litigation that has come forward; once there is litigation, obviously we cannot do that.

In terms of the school in Attawapiskat, we have made a commitment. It is under way. Even the member for Timmins—James Bay said that it could not be done any faster. We are doing the right thing.

\* \* \*

[Translation]

### TRANSPORT

**Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP):** Mr. Speaker, the people of Neuville are worried about an airport being built in their area, but the Minister of Transport, Infrastructure and Communities has consistently refused to meet with the mayor because this apparently is not his jurisdiction.

He should probably tell his staffer, who told the mayor of Neuville last week that he would organize a meeting. Perhaps the issue is that no one knows what falls under the minister's jurisdiction.

Will the minister finally commit to meeting with mayors who are worried about the effects of the Carriage by Air Act?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, our government has a tremendous amount of respect for provincial and municipal jurisdictions in Quebec. This member does not understand that the city is responsible for what happens within a municipal region. The mayor and the city council have an

agreement. The city signed an agreement with the developer to minimize the effects of the construction.

Could we talk about federal jurisdiction in the House and allow those in other jurisdictions to do their jobs?

\* \* \*

### VETERANS

**Ms. Annick Papillon (Québec, NDP):** Mr. Speaker, it took a veteran's desperate act to make the minister agree to establish a consultative committee on veterans' health.

The minister promised Pascal Lacoste that the committee would be set up by December 8. That is in two weeks' time. However, we have heard absolutely nothing since he made the announcement. All we know is that the first topic of study will be the effects of exposure to depleted uranium.

Can the minister tell us who will sit on the committee in question and can he commit to tabling the committee's report in the House?

**Hon. Steven Blaney (Minister of Veterans Affairs, CPC):** Mr. Speaker, on this side of the House, when it is time to vote for our veterans, we rise and support the budget initiatives to help them. Furthermore, when it is time to help veterans, as I helped Mr. Lacoste, we extend our hand to them. We are prepared to provide him with treatment and an assessment that meet his needs and those of his brothers in arms. I made the commitment and hon. members will have to stay tuned: the veterans' health committee will be set up by December 8.

\* \* \*

[English]

### ABORIGINAL AFFAIRS

**Mr. LaVar Payne (Medicine Hat, CPC):** Mr. Speaker, first nations members have been calling for the same accountability and transparency from their elected officials that all Canadians expect and deserve.

Despite fierce opposition from the NDP and the Liberals, our government is taking action to ensure that first nations people can access financial information about their chiefs and councillors, and take real steps toward democratic and economic change.

Could the Minister of Aboriginal Affairs and Northern Development tell the House how our government is addressing this issue?

• (1500)

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, our government believes that first nations, like all Canadians, deserve transparency and accountability from their elected officials.

The first nations transparency and accountability act builds on our government's ongoing commitment to ensuring first nations have strong, transparent and accountable governments. It will also decrease the reporting burden.

We have listened to community members who have repeatedly said this is necessary for their communities. I am proud that our government is taking action, which has been long overdue.

\* \* \*

[Translation]

#### SEARCH AND RESCUE

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, the Minister of Veterans Affairs, he who stands side by side with our brave veterans, must know that when one's life is in danger, it is a human reaction to want to speak in one's mother tongue, with one's accent, with someone who understands us and knows the danger we are facing.

What is the minister going to do to prevent Quebec from being divided in two, with half going to Trenton and the other half going to Halifax, and to ensure that this rescue centre, located across from his riding, can continue to save lives on the St. Lawrence River and in the Gulf of St. Lawrence?

[English]

**Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, in terms of the sub-centre in Quebec City, the member can rest assured that the services provided in Trenton will have fully bilingual people trained to perform that duty. There will be no jeopardy on safety and security.

\* \* \*

[Translation]

#### LAPIERRE ISLAND

**Ms. Paulina Ayala (Honoré-Mercier, NDP):** Mr. Speaker, under the ecological gift program, businessman Alfonso Argento donated Île Lapierre and walked away with nearly \$14 million. The island is covered in garbage and no longer has any ecological value. All the officials who worked on the file have said so. The land was last evaluated at less than \$400,000.

How could the Government of Canada have determined a market value of \$14 million, when no assessment agrees with that amount?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, of course, when it comes to assessing land values, there are jurisdictions here, too. Our government has always operated based on respect for the environmental value of all federal assets. We will focus on the things under federal jurisdiction.

\* \* \*

[English]

#### EGYPT

**Mr. Ted Opitz (Etobicoke Centre, CPC):** Mr. Speaker, the media has recently been reporting on clashes near Tahrir Square. Canadians are rightly concerned about the difficult transition from the Mubarak regime to a democratically elected and legitimate government of Egypt.

#### Oral Questions

As the House knows, Canada has played a significant role in assisting the Arab spring, as well as supporting democratic aspirations of the people of northern Africa and the Middle East.

In this regard, I would ask the Minister of Foreign Affairs to please give the House an update on the Canadian government's reactions to these most troubling media reports.

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, I think I can speak for all members of the House that we are outraged when we see the violence in Tahrir Square when people are seeking to peacefully protest. We are outraged when we see Coptic Christians in Egypt being targeted and many being killed.

We are calling on all sides to work co-operatively toward the elections that are coming up this Monday and to ensure that democracy will outweigh the violence that we have seen in recent days.

\* \* \*

[Translation]

#### EMPLOYMENT INSURANCE

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, my question is a matter of federal jurisdiction. What the member for Madawaska—Restigouche said is insulting. In his opinion, workers in the Atlantic provinces want to work only the minimum 12 weeks required to obtain employment insurance benefits. He also said that workers should have to have a grade 12 education in order to be eligible for benefits. That is unacceptable.

Is the minister going to take the same stand with regard to the people in his riding who worked at the Irving sawmill, which closed in October, and tell those who do not have a grade 12 education that they are not entitled to benefits? Come on. Why does the minister want to penalize workers in the Atlantic provinces?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, we want to help people find jobs. That is why we gave the provinces and territories funding for training and education through our economic action plan—so that unemployed workers can acquire the skills they need for the jobs of today and tomorrow. That is the best way to help these people. It is unfortunate that the NDP does not believe it.

\* \* \*

● (1505)

[English]

#### THE ENVIRONMENT

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, next week the United Nations negotiations under the Framework Convention on Climate Change will begin in Durban. Given that the Minister of the Environment has led us to understand that there will be no MPs travelling with him to Durban, I would like to pre-empt the usual Thursday question and ask the hon. government House leader if he plans to have a debate on climate change in the House before his colleague leaves next week.

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, we have no such plans right now.



*Business of the House***PRESENCE IN GALLERY**

**The Speaker:** I would like to draw to the attention of hon. members the presence in the gallery of the Hon. Robert Henderson, Minister of Tourism and Culture in the Legislative Assembly of Prince Edward Island.

**Some hon. members:** Hear, hear!

\* \* \*

**BUSINESS OF THE HOUSE**

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, I have noticed a disturbing trend developing around the Thursday question over the past several weeks. It is a trend that allows the government House leader to take advantage of a certain convention.

[Translation]

The hon. member on the government side is using the Thursday statement to create spin and rhetoric concerning the government's legislative agenda.

Last week, even after my colleague from Laurier—Sainte-Marie reminded the House that there was no place for debate in the Thursday statement, the Leader of the Government in the House of Commons made a 600-word speech on the virtues of the schedule, instead of simply reading out the schedule.

[English]

That is what he is supposed to be doing. In fact, he argued in favour of a number of bills, including Bills C-18, C-13 and others.

If you review the record, Mr. Speaker, there can be no doubt that it was debate, not simply providing information, as the Thursday question is supposed to be for.

Also, Mr. Speaker, you will know as well as anyone else that this past week, the government voted to shut down healthy debate for the 10th time in this Parliament. It continues to undermine Canadian democratic principles by ramming bills through the House without adequate debate. This, too, is a radical and much more serious departure from the traditions of this place which enshrine the duty of MPs to exam and debate legislation comprehensively before passing judgment on it.

I would ask the government House leader what the business of the House will be for the next week. I would also ask, if he is allowed to stray from his talking points, if he perhaps could spare us the spin from the Conservative war room and curtail his own debate rather than that of MPs trying to do their jobs on behalf of all Canadians.

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, this is delivering results on jobs week.

I will begin by noting that the highlight of the week was the passage of the budget implementation act, Bill C-13, keeping Canada's economy and jobs growing act. That legislation has now moved on to the other place where we look forward to its passage.

We have also advanced Bill C-18, the marketing freedom for grain farmers act, past report stage. This bill would give marketing choice to western grain farmers, so it is a priority for us to have market

certainty and have it passed by next year. For that reason, it is our intention to complete third reading of the bill on Monday.

[Translation]

Of course, Tuesday afternoon and again this morning, the House has continued debate on the opposition amendment to decline second reading of Bill C-11, An Act to amend the Copyright Act. We will continue that debate this afternoon. If the opposition finishes their effort to block this bill—after 16 hours of speeches—we will proceed to Bill C-14, Improving Trade Within Canada Act.

Tomorrow will be the sixth allotted day.

[English]

On Monday, we will start here for law-abiding Canadians week.

On Tuesday, we will start the post-committee stages of Bill C-10, the safe streets and communities act. This will continue on Wednesday. I note that it was reported back from the Standing Committee on Justice and Human Rights this morning. I do want to thank the members of the committee on their 27 hours of meetings in just the past couple of weeks. All told, including the nine predecessor bills within this legislation, we have seen 95 hours of House debate, 261 speeches in both chambers of Parliament, not to mention 70 meetings in committee rooms of this place.

On Thursday, we will continue here for law-abiding Canadians week with the start of debate on second reading of Bill C-26, the citizen's arrest and self-defence act, which the Attorney General introduced recently. Should time permit after that debate next week, we will return to debate the opposition's motion to block Bill C-4, the human smuggling bill, from going to committee. We hope we will be able to complete the debate on the opposition's motion to prevent that bill from going to committee soon so that we may actually have it go to committee.

[Translation]

Finally, as part of this week's delivering results on jobs week, on behalf of my honourable friend, the Minister of Finance, I am pleased to table a ways and means motion in support of the establishment of a financial literacy leader for Canada. As honourable members would know, November is Financial Literacy Month; an issue championed by the hon. member for Edmonton—Leduc, the chair of the finance committee.

Pursuant to Standing Order 83(2), I ask that an order of the day be designated for the consideration of this motion. For the benefit of the House, I plan to call this motion immediately after question period on Tuesday of next week.

• (1510)

[English]

## POINTS OF ORDER

### DISTURBANCE IN GALLERY

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I rise today on a point of order to draw attention to the disturbing incident that occurred in the gallery yesterday afternoon during votes.

I think members on all sides of the House are well aware that protests are a part of parliamentary life. In fact, during the summer months in particular it seems there is a protest on the front lawn of Parliament almost every day. However, those protests, invariably, are peaceful and they are outside. Yesterday, the protest occurred inside the House and it was far from peaceful.

Many people who are listening to this may wonder how this could this occur, how could a protestor get inside Parliament.

The answer is quite simple. The protestor was sponsored and, in this case, he was sponsored by the member for Churchill. This is unfortunate because it is a continuing pattern. It seems that the member for Churchill has been involved in incidents like this before. Mr. Speaker, you will remember that just last year there was a handful of protestors who staged a sit-in in the offices of the Minister of Aboriginal Affairs and Northern Development. During that sit-in, the members of the protest group disrupted the activities of the office of the minister and intimidated his staff. That sit-in occurred only moments after those protestors left the offices of the member for Churchill with whom they had a meeting earlier.

When the protest occurred yesterday, one of the most distasteful elements of that protest was that it appeared quite apparent to all of us that the member for Churchill and her opposition colleagues knew that the protest was going to take place because they had their cameras ready and they were cheering and encouraging the protestor when he started to try to make his statements.

Members in this place are expected to uphold the dignity of and respect the institution in which they serve. However, by their very actions yesterday, members of the opposition who were applauding and encouraging the protestor actually diminished this institution and for that they all should be ashamed.

However, it does not stop there. When security guards approached the protestor yesterday afternoon, the protestor engaged them in what can best be described as a wrestling match, thereby putting the safety of the security forces at risk. During that tussle, that wrestling match, members of the opposition, not all but many, continued to applaud and cheer and actually egg on the protestor, thereby even further jeopardizing the safety of our security forces.

Mr. Speaker, I can assure you of one thing. On this side of the House, no member of the government would ever encourage or condone the actions of any individual who would put the health and safety of our security forces at risk.

I simply ask that the member for Churchill, at her first opportunity, stand in her place and apologize to the fine men and women of our

### Points of Order

security forces for putting their security in jeopardy and to apologize to this House for disrespecting the very institution in which they serve.

• (1515)

**Ms. Chris Charlton (Hamilton Mountain, NDP):** Mr. Speaker, I have spoken with the member for Churchill about the incident and I am absolutely certain about the following facts.

She did give passes to at least eight people for the members' gallery west. This is a common practice for all members when we are welcoming visitors to the parliamentary buildings. She had no knowledge that a single person within the group to whom she gave a pass would misbehave in any way. Like most members, she believes that people are generally nice and well-behaved, and the government has no evidence of any foreknowledge because such foreknowledge does not exist.

The member for Churchill is no more responsible for the behaviour of the person in the gallery than the Speaker of the Senate was responsible for the protest from the Senate page which took place during the Speech from the Throne. Interestingly, the government has yet to bring forward that debate. Just because someone helps people to be in their place does not imply any knowledge of their plans.

The member for Churchill regrets the disruption in the gallery. None of us condone it. We are pleased with the actions taken by our security services.

Mr. Speaker, should you find that this behaviour constitutes a prima facie case of privilege, she will be happy to address the chamber on the frustrations that all Canadians feel stemming from the anti-democratic approaches the government takes to governing. How people react to a government that denies debate on public policy is certainly worthy of debate in this chamber.

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I rise on the same point of order.

I sat here and watched the demonstration. In fact, I will admit that I stood up and applauded. Civil disobedience is a part of democracy but I do agree that it should not have happened in this chamber.

However, I spoke to the group in a meeting before and after the incident and I can assure the House that of the eight individuals, seven of them did not even know that the incident was going to take place.

The government member basically said that there was a wrestling match. I watched it and there was no wrestling match in the gallery, none at all. The individual—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please. The hon. member for Malpeque has the floor.

**Hon. Wayne Easter:** Mr. Speaker, the individual walked out peacefully. Yes, there were security officers around him but he left—

**Some hon. members:** Oh, oh.



*Points of Order*

**The Speaker:** Order, please. I find it very ironic that we are talking about decorum in the gallery and yet the House will not give the member for Malpeque the civility and decorum that the Speaker has asked for.

The hon. member for Malpeque.

**Hon. Wayne Easter:** Mr. Speaker, that is in fact the problem, which leads me to the key point on why the incident took place in the first place.

The government member talked about respect for this institution. If we were to talk to the individual who held up the signs and shouted from the gallery, he would tell us about the respect that he has lost for democracy as a result of the government's actions in terms of how it is basically doing away with the Canadian Wheat Board.

Those individuals sat here while the minister answered questions. I can assure the House that, from their perspective, they do not believe the minister's answers were fully honest, if I can put it that way. The individual is a young farmer. Those individuals strongly believe that this is an important debate and that this institution and the government should be allowing hearings on this major issue in western Canada. That is what those people believe. They believe their voice has been taken away. They know their vote has been taken away. The individual did what is right in a democracy by standing up in civil disobedience against the actions of the government, which is doing undemocratic things.

That is why it happened. It should not have happened but the blame does not rest with the member for Churchill. The blame falls right on the shoulders of the very government that is doing these undemocratic things.

• (1520)

**Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC):** Mr. Speaker, I find this outrageous. This has nothing to do with one party or another party. This is Parliament. We cannot have these outrageous demonstrations in Parliament. Civil disobedience is fine. Civil disobedience can be done anywhere in the country. It can be done on the lawn. However, this is the House of Commons, a very special place where laws are passed and budgets are passed. We cannot have these kinds of disturbances.

The member for Malpeque just made his comments. I notice that you are a member of Friends of the Canadian Wheat Board, as is Mr. Dean Harder, the person who demonstrated up there. Is that not an interesting coincidence? You also had your camera ready to take—

**The Speaker:** Order, please. I need to remind the hon. Chief Government Whip to address his comments through the Chair and not directly at other members.

**Hon. Gordon O'Connor:** Where I said, you, I meant you.

Mr. Speaker, this was an outrageous act in this Parliament that should not have happened. It would get resolved quickly if the people involved would apologize and promise not to do it again.

Members may remember that about a year ago a bunch of people from the environmental movement were also sponsored in here.

They had their demonstrations. Why does demonstration after demonstration come from the same group of sponsors?

**The Speaker:** I hesitate to allow this to turn into a debate about the merits of government policies in terms of the flow of debate, but I see the opposition House leader rising, so I will take that intervention and then I think it is time to move on.

The hon. member for Windsor—Tecumseh.

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, I had not intended to stand, but that last comment cannot go without a response.

Mr. Speaker, you heard very clearly from our whip. We all sponsor members of the general public to come here and sit in the galleries. We do that every single day.

To then attribute misbehaviour on behalf of one of those people that we sponsored to the individual who was the sponsor is just totally inappropriate. To make that kind of comment is wrong because at any given time one of those people who we provided a pass to sit in these galleries could be doing the same thing.

This weekend I will have been here 11 years. I have been through five incidents and in not one of those incidents, and I include the one that happened yesterday, can we point to the member of Parliament, who allowed the person to have the pass, having any foreknowledge that there was going to be an incident.

We have had five incidents and I do not believe there have been any other incidents. I was in the chamber every single time and there has never been an occasion when we could show that the member who was the sponsor had any knowledge of what was going to happen.

**The Speaker:** I understand the hon. member for Ottawa—Orléans is rising on a different point.

## STATEMENTS BY MEMBERS

**Mr. Royal Galipeau (Ottawa—Orléans, CPC):** Mr. Speaker, it is with some sadness that I stand today to make this point, but if you will allow me some indulgence.

Concerning the five incidents that the opposition House leader just referred to, passing coincidence that in each of those five cases the individual was sponsored by a member of Parliament from the New Democratic Party.

[Translation]

As we just discussed, emotions were running high yesterday in the House. In addition, the hon. member for Portneuf—Jacques-Cartier rose in the House when I was not here with the specific goal of accusing me of saying things about the Auditor General that I did not say. Her statement can be found on page 3,456 of yesterday's *House of Commons Debates*.

For the record, I would like to remind the members of the House that I support the government's decision. We wanted bilingual candidates. Upon completion of a rigorous process, it was determined that the candidate chosen was by far the most competent applicant. I am happy to know that Mr. Ferguson has committed to becoming bilingual and that he has already been taking language courses for several weeks.

The hon. member knows full well that I am careful not to play partisan games. She also knows that I welcomed her here with all the dignity she deserves. She could have a promising future in the House, serving the riding of Portneuf—Jacques-Cartier, her province and her country. For that to happen, she should avoid picking up bad habits and stick to what was said instead of putting words into the mouths of other members.

I would be pleased to provide you with a transcript of the speech I gave the day before yesterday before the Standing Committee on Official Languages.

• (1525)

[English]

In fact, I would be prepared to table it at this time if the House would give me unanimous consent.

**The Speaker:** Does the hon. member have unanimous consent to table the document to which he is referring?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** There is no consent.

The Chair will take the matter under advisement and come back to the House if necessary.

The hon. member for Yorkton—Melville is rising on a different point.

#### DECORUM

**Mr. Garry Breitkreuz (Yorkton—Melville, CPC):** Mr. Speaker, this is a separate point of order but ties in a bit with what has been happening in the last little while.

We are concerned about decorum in the House. The applause yesterday for the demonstrator is an encouragement for decorum to continue to decline. The NDP made a pledge for proper decorum in the House, but I was very disturbed today by the fact that the NDP applauded the statement made by the member for Halifax that was very demeaning to seniors in Canada. This occurred during question period.

At first one could view this as just the view of the one member for Halifax, but the laughter of the members opposite, like the member for Winnipeg Centre, demonstrates an attitude that really concerns me. The label given to seniors by this MP is totally unacceptable. The laughter she engaged in after making those derogatory comments reflects a problem that goes a lot deeper than just the comments made. The decorum in the House on the part of the NDP has slipped considerably.

I am asking you, Mr. Speaker, what could be done to remedy this situation?

The comment is an insult to seniors across this country. The member did not retract her statement. She had lots of time to do that. I would like you to review that and if you agree with me that this is demeaning to Parliament, I would like to pursue this further.

[Translation]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, I appreciate the comments made by the hon. member in defence of seniors. That being said, the comments that the minister is making about the hon. member for Halifax having twisted herself into a pretzel are no more ministerial or sensible.

We will take no lessons from a government that treats the opposition in such a cavalier manner, denies it the basic right to debate most of the bills introduced in the House and is acting almost like a dictatorship.

This results in a type of behaviour that is somewhat unfortunate. Indeed, we would like there to be decorum, but decorum and respect have to be earned.

[English]

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I will keep my remarks short. What is disturbing is using legitimate points of order as an attempt to create a narrative that then can go out to the public. That undermines the role of a point of order.

The idea that members of the New Democratic Party are to sit and be polite to whatever government insults they receive on a daily basis—

**An hon. member:** A point of order.

**Mr. Charlie Angus:** This is a point of order.

**The Speaker:** I have just been informed that the earpieces are not working.

They are working now. The hon. member for Timmins—James Bay.

• (1530)

**Mr. Charlie Angus:** Mr. Speaker, the hon. colleague is concerned that the term that the member was acting like a grumpy old man was somehow to be inferred as a complete insult to senior citizens across this country. People back home would think this is kind of like the bully who suddenly gets challenged.

If we are going to talk about legitimate points of order, we should be following basic parliamentary procedures, not “he called me that” or “she called me this”, especially when we see the kind of ridicule that comes off the government benches on a daily basis.

I would urge you, Mr. Speaker, to be mindful of the larger role of parliamentary democracy and not be taken in by these attempts to rewrite the public record as being malicious attempts to undermine everything that is good in this country just because we are doing our job of challenging ministers who are refusing to answer questions.

**The Speaker:** I appreciate that some members may want to add, but we have gone on now for over half an hour on these points. The Chair has heard enough on all three issues raised today and we will move on to orders of the day.

The hon. member for Windsor—Tecumseh is rising on a different point of order.



*Privilege***PRIVILEGE**

## STANDING COMMITTEE ON PUBLIC ACCOUNTS

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, I had advised you that I would be responding to the question of privilege that was raised by the President of the Treasury Board yesterday.

I stand to respond to the question of privilege he raised. He raised it with respect to the apparent altering of the official record of the Standing Committee on Public Accounts.

The first note I would make is that there seems to be some ambiguity. I was not quite sure where he was going with this, so I will perhaps pose this rhetorical question. Is he asking the Speaker to rule on whether and how the blues were altered? It was not entirely clear, but I think that is where he was going.

If that is the thrust of his question of privilege, certainly members on the official opposition side would—

**The Speaker:** Order. I have just been informed of a problem with channels 2 and 5. In the interim, I would suggest members use channel 1, which is the floor channel, and there should not be any interference. In the meantime, we will try to resolve the problem.

**Mr. Joe Comartin:** Mr. Speaker, if in fact the request is for you, Mr. Speaker, and your office to determine whether the blues were altered and how, members on this side of the House would be in full support of that.

However, we would note that the point that was at issue, and would ask you to address it if that is the thrust of where we are going, is how the formal commitment contained within the committee blues for the President of the Treasury Board to provide documents to the public through the committee was struck from the official record.

You have repeatedly heard the term “sure, sure” in response to questions from the member for Timmins—James Bay, and that those words had been taken out. I think the President of the Treasury Board was in fact admitting that it happened, that the initial draft came with the word “sure” twice in response to questions from the member for Timmins—James Bay, and that they were not there in the official record when it was finalized. How that came about, we would like to know.

On the other hand, if the government seeks to engage in a thorough debate about how it is that the Conservative government, through its ministers, continue to withhold vital information about how public money was spent by the President of the Treasury Board, we would respond very vigorously that we would like to do that as well; that is, engage in that debate.

It is entirely possible that the privileges of all of the members of the House were breached by his actions in the public accounts committee, first by saying “sure”, and then by not giving the documents as he appears to have made a very clear commitment in that regard.

However, if the President of the Treasury Board is hoping to correct the record as to what was said to the media in the press conference in the morning, if that was the thrust of where he was

going, and I had some sense of that although it was not entirely clear, that is beyond the purview of you and this Chamber.

Therefore, if he wants to try to correct whatever impression was left there, that is a question of debate—

● (1535)

**The Speaker:** Order. I am sorry to keep stopping the hon. member for Windsor—Tecumseh.

Do we still having problems?

**Mr. Scott Simms:** Mr. Speaker, I brought it up before. I think channel 2 is not working, which is the English channel. I am also getting tweets from the general public saying they cannot hear either.

I do not know what is happening. Maybe we want to suspend. I am not sure.

## SUSPENSION OF SITTING

**The Speaker:** In light of the technical difficulties and in the interests of allowing members to hear what is being said, we will suspend for a few minutes while we try to sort this out.

(The sitting of the House was suspended at 3:36 p.m.)

● (1540)

## SITTING RESUMED

(The House resumed at 3:44 p.m.)

**The Speaker:** I have been informed that the technical difficulties seem to have been worked out. I will go back to the hon. member for Windsor—Tecumseh so he can finish his remarks.

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, just as we ran into the technical problem, I was pointing out that a second aspect of the seeking of a finding of breach of privilege by the President of the Treasury Board was more a question of debate. Information that, as he perceives it, breaches privilege was given in the media outside this chamber and outside of committee. Mr. Speaker, if that is what his criticism is, I would suggest it is beyond the scope of your role as the Speaker of this House and that he would be better to take it up directly with media sources.

If in fact there is a breach of privilege, we could see that it could be established without in any way finding that the source of that breach of privilege was the member for Timmins—James Bay, given the dispute we have over the facts.

I want to go back to the initial comments I made. If there is a breach of privilege here, we could see that finding, but we are not at all suggesting or admitting that the member for Timmins—James Bay is the source of it. There may have been a breach here because the statements made by the President of the Treasury Board in committee clearly had been altered. He sees that, and we see it on this side of the House.

I believe it behooves your office, Mr. Speaker, to investigate that matter. We are not opposed at all to that finding. However, we are saying very clearly that we are adamantly opposed to a determination that the cause or source of the breach of privilege is the member for Timmins—James Bay. There may be a general determination that his privileges have been breached, because the records have been altered. We should get to the bottom of that, if for no other reason than to make sure it never happens again.

*Government Orders*

● (1545)

**The Speaker:** I thank the hon. member for his comments on this matter. Orders of the day.

**GOVERNMENT ORDERS**

[English]

**COPYRIGHT ACT**

The House resumed consideration of the motion that Bill C-11, An Act to amend the Copyright Act, be read the second time and referred to a committee, and of the amendment.

**The Speaker:** The hon. member for Timmins—James Bay has seven minutes to conclude his remarks.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I am proud to rise yet again today on Bill C-11, an act to amend the copyright act.

As someone who has spent many years involved in the artistic and publishing business, I understand the vital importance of copyright for artists. There is an enormous amount of effort for an artist to create a work. As well, there is a great intellectual effort.

Copyright is a public construct. I love the way it comes down to us in French law, *le droit d'auteur*, the right of the author. This is a principle that has been fought over for hundreds of years.

As has been defined in parliamentary tradition, when an artist creates a work, it is not a piece of property. This is sometimes misunderstood by some creators. It is not a piece of property, something one can put a fence around, because we do not want to create fences around ideas; when we create a piece of artistic work, we want to open it up to the public. We want the public to be able to access that work. The problem occurs when artists are unable to receive rightful recompense for their work.

In 18th century England there were the so-called book wars. People would make copies of works, and then the book owners would keep out new competition.

We need to have a balance, and this has always been the issue with copyright. There is a need to ensure that a work can be put into the public realm and become part of our consciousness, our literature, our identity, so that new authors or new artists can build on that work and create more. We do not want to lock that content down so that it is inaccessible. However, in order for the creative process to continue, the artist must be paid.

Let us see how that relates to Bill C-11.

Unfortunately, in Bill C-11 we see a number of areas in which content is being locked down. It is being locked down as a so-called market solution. We hear the government say that we should let the market decide what copyright is or what rights the author and consumer have. That is not good enough. That is not forward-looking copyright. That is not copyright that would bring us into the 21st century.

We need to establish the principle that Parliament, not the marketplace, decides what the balance is. The marketplace has its

role, but a corporate entity in the United States, such as Sony Music or another massive entertainment industry, does not have the right to trump the rights that have been established under Canadian parliamentary tradition.

Let us examine what those rights are.

Under the bill there would be the right to do parody and satire, which is a fundamental of art. All artists have done parody and satire of other artists. Today's great artist was yesterday's thief. Parody and satire are important. The documentary film community wants to be able to access work so that they can comment on it and create new works, but if a digital lock is put on it, those rights disappear.

With one hand we are offering rights to the Canadian public, meaning the right to make backup copies and the right to do parody and satire, but with the other hand we are taking those rights away if a digital lock is imposed, because a digital lock supersedes all other rights. That is not consistent with what many of our trading partners have decided.

There is a possibility to have a balance on digital locks, so let us examine their role.

A digital lock in a modern age is an electronic code to keep a product from being unfairly taken, and a corporate entity has a right to put a lock on their product. For example, in the gaming industry, codes were being broken on video games. People were taking the games without paying. The New Democratic Party has always supported the right of an entity that has invested in its creative work to put a digital lock on it.

However, in most of our WIPO-compliant countries, there is a right for exceptions. For example, someone may have to break a digital lock if that person is partially blind and needs to access a work to read it in larger print. That person is not the same as a criminal. In fact, it is a perfectly okay thing to do.

● (1550)

Another example is that because of digital locks, television networks will no longer be allowed to excerpt footage of films. They will only be able to show a screen. That does not do anyone any good.

There are legitimate reasons to be able to break a lock in order to access something someone has a right to. However, we do not support breaking digital locks just so product can be taken without paying.

On the issue of education, there are a number of areas where we have grave concerns. We support the idea of updating copyright into the 21st century, but we have concerns on the issue of fair dealing for education.

Fair dealing has been defined by right under the Supreme Court CCH decision, which established the six principles of what constitutes fair dealing. Fair dealing should not be seen as an open season to make it fair to take a textbook and just make endless copies to avoid buying more textbooks. That is not considered fair. The Supreme Court established the six principles of fair dealing so that we could have some clarity. We do not have that clarity in this bill, and it is important that we ensure clarity on education.



### *Government Orders*

We also do not even define what education is. I can imagine many private businesses saying they are doing company training and saying it is education. That is not necessarily the same thing as education through an educational institution.

One of our great concerns in terms of education is the digital book-burning provision. If someone is learning through a distance education college, and many of my communities take education by long distance, students will be forced to destroy their class notes 30 days after the end of the semester, and teachers will be ordered to destroy their entire class notes. That would create a two-tier system of education, one in the classroom and one by distance. That makes no sense, and it would undermine the incredible ability of distance education.

To conclude, we are opposed to this bill because we do not see the government willing to work with us on the key amendments needed to make this bill into proper and positive copyright legislation for the 21st century.

**Mr. Andrew Cash (Davenport, NDP):** Mr. Speaker, as many people know—and if they do not, it bears being reiterated here in the House—most Canadian artists' wages are below the poverty line, below \$13,000 a year. It is incumbent on us as policy-makers to fashion policy that is going to support innovation and allow for the building of a greater middle class of Canadian artists. This sector is a major economic driver in our economy, but the copyright bill as it stands right now would take \$20 million a year out of the pockets of artists because of the changes in the broadcast mechanical provisions. Would my hon. colleague care to comment on the effects of this kind of policy for our Canadian artists?

• (1555)

**Mr. Charlie Angus:** Mr. Speaker, my hon. colleague and I have shared many royalty payments together over the years. He will know, as I do, that the greatest theft from musicians everywhere has never been necessarily piracy, but the line in the recording contract that was called “recoupable”. It enabled the recording industry to recoup every possible dime that it might have ever spent off their royalty payments.

Therefore, the issue of mechanical royalties for a musician is essential. The radio mechanical royalty is in many ways some of the only real revenue an artist sees, but the government has decided that \$20 million in mechanical royalty revenue to Canadian artists is something artists do not need and is giving it to the big broadcasters. The broadcasters will not have to pay a royalty right that they have had to pay for years. That money is being directly robbed from artists.

In no other system that I know of has it been decided that people who had a right to earn a living no longer have that right. The Conservatives call that “balanced”; we call it wrong.

**Mr. Scott Simms (Bonaville—Gander—Grand Falls—Windor, Lib.):** Mr. Speaker, my colleague and I have worked quite a bit on this issue over the past few years. We have been through many of these battles and through three versions now, I think, of this particular bill.

I want to ask him about the situation with the education exemption. We are slowly finding that we rushed ahead with the

provisions of TPMs and digital locks and have now locked down material that under normal circumstances should be accessible.

Because of the way these TPMs operate, sharing among one's own devices, ironically, will be eliminated by the provision for TPMs. It does not seem to me, and I am sure it does not seem to him, that this is technologically neutral. It does not add up to it. At present one has a right to transfer material from one device to another, but because of digital locks, that right will be eliminated. That ability had been given to us by the private sector, not by legislation.

I wonder if the member could comment on that aspect.

**Mr. Charlie Angus:** Mr. Speaker, that is an excellent question, because this is not a technologically neutral bill.

As my hon. colleague said, the bill says that the TPM defines the right. This is going to have an extreme effect on education and libraries. Right now, if people want to get a master's thesis from the University of York and read it in Alberta, they contact the university which mails them a copy. They can read it for a while and then send it back. It is pretty easy to make a photocopy. It would not do any real damage. It happens.

The bill would force all libraries to put digital lock codes on the transmission of materials, so that after, I think it is, five days of study it magically goes poof and disappears. The ability of libraries to impose that kind of technology on the products they have, that are meant to be shared and understood, is excessive. I do not think it is even possible for them to be able to do.

It is going to have a negative impact. It is actually not serving anybody's purposes by having this arbitrary use of TPMs.

[Translation]

**Mr. Pierre Jacob (Brome—Missisquoi, NDP):** Mr. Speaker, to begin with, I would like to stress how important this issue is to all creators, and particularly those in my riding, whether they be in Sutton, Magog, Bromont, Cowansville, Knowlton, or elsewhere. Moreover, I salute all those creators who are very active across all forms of art, which improves people's quality of life, whether it be through the medium of cinema, theatre, improvisation, television, writing, painting, and so on. Artists are entitled to be fairly compensated for their work. This bill will deprive artists of millions of dollars in revenue and erode their market. The long and complex list of exceptions does not adequately recognize the rights of creators.

*Government Orders*

In fact, these exceptions create new ways for consumers to access protected content without concurrently creating new avenues through which to compensate creators for the fair use of their work. Bill C-11 does not adequately protect the ability of people to post content submitted or produced by users themselves, even if it were easy to collectively authorize this. Moreover, Bill C-11 creates an artificial distinction between copying for private use and reproducing for private use in Part 8, section 80 of the Copyright Act, and section 29, paragraph 22)(1)(e) of the copyright modernization bill.

There are also direct implications for consumers. The rigid provisions assign unprecedented powers to rights holders, which trump all other rights. If passed, Bill C-11 could mean that an individual would no longer have access to the content for which he has paid, and which he has every right to use. For example, if someone is enrolled in long distance education courses, it is draconian and unacceptable to ask him to destroy his course notes within 30 days of the course concluding, as proposed under this bill.

For all these reasons, it is felt that powerful, new anti-circumvention rights must be created for content owners, as opposed to content creators and content developers. In addition to preventing access to copyrighted works, these new provisions are strengthened by fines of over \$1 million and sentences of five years detention. A further provision prohibits access to protected information by way of a digital lock, such as a digital watermark.

This would lead to a situation whereby digital locks would take precedence over virtually all other rights, including the fair dealing rights of students and journalists. This is problematic for several reasons. In particular, there is a very tangible danger of consumers, in some circumstances, not being authorized to use content for which they have paid. Moreover, the digital locks trump all other rights guaranteed by the Charter, including change of format in the case of a visual disability.

Secondly, the new provisions would require, where a digital lock has been used, that copies made for educational purposes be automatically erased after five days and that course notes be destroyed within 30 days of the course concluding. That would lead to serious problems for students enrolled in long distance education courses. It is not an appropriate use of the copyright rules.

Thirdly, it would create new limited exceptions to the fair dealing provision of the Copyright Act, including the exceptions for educators, and exceptions for parody and satire. The exceptions do not adequately recognize the rights of creators. In fact, the exceptions facilitate consumers' access to copyright protected content without the provision of new methods for creators to be compensated for their work.

With this bill, the Conservatives have intentionally avoided dealing with the question of the possibility of extending the exception for private copying, a measure that has been proposed by the NDP and also by a number of experts.

●(1600)

The private copying exception has been very effective in the past for cassettes, CDs and DVDs. The government has tried to put a populist face on its opposition to extending the exception.

The NDP believes it is high time to modernize copyright rules, but there are too many major problems with this bill. In some cases, it even creates problems where there were none before.

We are going to try to amend the bill so that it better reflects the interests of Quebec and the Canadian public. The NDP believes that copyright rules in Canada could balance the right of creators to receive fair remuneration for their work and the right of consumers to have access to content at reasonable prices. We are also going to study any potential amendment that could be made to the bill to create a fair system of royalties for artists. As it stands at present, the bill eliminates several million dollars in income for our artists.

For all these reasons, it seems that the efforts Canadians have put into reform of the Copyright Act in recent years have had very little to do with the creation of a system that strikes a balance between the rights of creators and the rights of the public. Those efforts have instead been attempts to meet the demands of the big owners of American content, the film industry, record companies, video game developers and others. When will Canadians finally have legislation that meets their needs?

In the NDP, we believe that Canadian copyright legislation can achieve a balance between creators' right to receive fair compensation for their work and consumers' right to have reasonable access to content. We are going to assess all of the amendments that might be made to the bill to create a system of fair royalties for artists. As it stands at present, the bill eliminates income worth several million dollars.

As a result, the copyright modernization bill gives with one hand and takes back with the other. Although the bill contains some concessions to benefit consumers, they are undermined by the government's refusal to adopt a compromise position on the most controversial issue: copyright in Canada.

We are also proposing that the clauses that criminalize the elimination of digital locks for personal, non-commercial purposes be removed from the copyright modernization bill. We support reducing the penalties for people convicted of violating the Copyright Act, since that would prevent excessive prosecution of the public, a problem that often exists in the United States.

The Conservatives have ignored the opinion of the experts who were heard by the committee and the conclusions of their own copyright consultations in 2009. As a result, they have introduced a bill that could cause more harm than good.

The NDP believes it is high time for a modernization that will eliminate these blatant problems and we are going to work to amend the bill so that it better reflects the interests of Canadians.



*Government Orders*

In conclusion, a number of groups have stated their ideas and supported what we are calling for through their statements, such as the cultural industries and the Writers Guild of Canada. The Guild says that the only option Bill C-11 offers creators is the addition of a digital lock, the effect of which would be to block existing sources of income for creators and create a loophole in the bill by taking away from consumers the same rights as are guaranteed to them in other clauses of the bill.

• (1605)

**Mr. Marc-André Morin (Laurentides—Labelle, NDP):** Mr. Speaker, in listening to my colleague, a question comes to mind.

We, on this side, read a lot or we have all read a lot. In a book there is often a bibliography of 20 pages and on every second or third page, we find a reference or a quote from an author.

Under this legislation, we would find at the end of the book a page indicating that every note and every reference was destroyed at the end of 30 days. It is utterly ridiculous.

I believe it is a good bill, but trying to make it a smart bill is like running a mule in the Kentucky Derby.

• (1610)

**Mr. Pierre Jacob:** Mr. Speaker, I want to thank my dear colleague for his comments.

As I have already said, I agree that this bill does not help creators. This lock will help neither creators nor consumers. For all the reasons I have just listed, we will work on amending this inadequate Bill C-11 because it is very important for Canadians. Canadians have spent \$1.4 billion on attending live artistic performances, or more than twice as much as on attending sporting events, spending \$0.65 billion on those.

**Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP):** Mr. Speaker, my question is quite simple and concerns copyright.

A copyright payment is a royalty. It is a salary. It provides a living. My question is very simple: what do we call copyright legislation that essentially prevents creators from receiving an income? That is a key question. We keep talking about copyright, but this bill is essentially about denying copyright. It denies creators the possibility of making a living from their creations.

How can we hope to encourage creation when the creators are denied income?

**Mr. Pierre Jacob:** Mr. Speaker, I would like to thank the hon. member for his question.

Income is a right. Artists have the right to be fairly compensated for their work and effort. If they receive fair compensation, they will be encouraged to create. It is a cycle. This bill will deprive artists of millions of dollars in income, as I have already said, will erode their market.

The long, complex list of exceptions, which does not recognize the rights of creators, must be removed. These exceptions create new means for consumers to access protected content without also creating new ways to compensate creators for the use of their work.

[English]

**Mr. Andrew Cash (Davenport, NDP):** Mr. Speaker, the bill would grant a range of new access privileges, but does not really increase opportunities for artists to make a living. This is a big issue for us on this side of the House because we know the arts and culture sector is a major economic driver in our country. The bill is an opportunity for us to get copyright right so innovation can proceed in the country.

Would my hon. colleague care to comment on the import of the arts and culture sector to our economy and to Canada as a whole?

[Translation]

**Mr. Pierre Jacob:** Mr. Speaker, I can say that arts and culture are very important in my riding and across the country.

The Alliance of Canadian Cinema, Television and Radio Artists estimates that the arts and culture industries in Canada contribute \$85 billion a year to our economy, which represents 7.4% of Canada's GNI. They support some 1.1 million jobs, or about 6% of the Canadian labour force. These industries and the jobs that depend on them can only survive in an environment where intellectual property is protected.

I could go on to say that many cities and towns make their living in the arts sector.

• (1615)

**Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP):** Mr. Speaker, it is true that everyone has been waiting a long time for a modernized copyright act that would reflect the new technologies and the new realities facing consumers, artists, producers and booksellers. At last, we have this opportunity to debate a new and modern copyright bill.

However, the debate on this issue has been going on for many hours and it is obvious that we are disappointed by what the government is proposing with Bill C-11.

Why are we disappointed? First, it is because both consumers and artists were consulted on many occasions but, unfortunately, most of the proposals put forward were ignored. Once again, people may be frustrated by the government's lack of consideration, even arrogance, regarding the views of those who have to live with the restrictions and the benefits of the laws that we pass.

Of course, this unwillingness to listen generates a lot of frustration, and we heard many vent that frustration. Allow me to address, among other issues, the government's lack of consideration for consumers' rights and also for artists' income and respect.

*Government Orders*

Generally speaking, there are several small things that have us worried about this bill. There are things which suggest that implementation problems could surface, because certain rights may not be respected and because the government may not have thought about everything when it drafted this legislation. I hope the government will be open to some changes, even just basic ones, to ensure that this bill is appropriate and that it respects people's rights.

I am not going to mention them all, but there is, for example, the difficulty that visually impaired people may have with the new lock standards on the content that they buy. Then there are the problems that distance learning could experience with the new standards and the new restrictions imposed by the locks. These are small issues which make us wonder and which also make us hope that the necessary adjustments will be made. I met with members of the Canadian Alliance of Student Associations and their position on this bill is very clear. They say:

The legislation misses an opportunity to take on the personal contributions made by students to publishers abroad, under the Book Importation Regulations. If these contributions were abolished, students could save \$30 million annually.

We are hearing a lot of talk these days about rising tuition fees and about students who have a hard time making ends meet, who are worried about adding more costs to their education expenses and about their studies becoming much more difficult because of copyright restrictions. I will mention some of the concerns I have heard. There are three main ones.

First, there are interlibrary loans. I was studying to be a teacher not very long ago, and I can say that interlibrary loans offer a wealth of information to students. Today, library books are still available in paper format, of course, but many are available online. Whether we are talking about scientific articles or complete volumes housed in libraries, students, regardless of where in the country they live, have access to an impressive amount of information thanks to a high number of interlibrary loans and loans of digital articles. These students are worried about their rights because this is a matter of access to information; it is a tool to help educate oneself, learn and produce new material. We must not forget that there are students at the bachelor, master's and doctoral level who produce very interesting material because they have access to information. This is one of the first concerns raised by the Canadian Alliance of Student Associations.

The other concern—and we have already talked about it a lot—has to do with the requirement that course notes be destroyed within 30 days.

• (1620)

I am greatly simplifying this. We already explained this measure. Students are also concerned about this. Students are recommending, among other things, that the clause in Bill C-11 about destroying information after 30 days be eliminated so that educational institutions can offer more effective and high-quality education, which will encourage lifelong learning and innovation.

I was a student but I was also a lecturer at a university. I know that there are things that need to be adapted. We agree that the Copyright Act needs to be adapted. Students often get together to purchase one copy of the class notes and then photocopy it. There are also professors who do not respect copyright. They photocopy entire

chapters of books and give them to their students. A change must be made in this regard to ensure that copyright is respected in universities, but I do not think that the solution is to pass the bill on to students or to limit their access to information. I do not think that we are targeting the real problem or the people who should be paying for these documents. Changes also have to be made in this regard.

I am now going to speak about the new problems that Bill C-11 could cause because of the many exceptions it contains. Unfortunately, these exceptions cast a net that is a bit too wide and certain problems may arise as a result. I am speaking once again about the use of texts and materials in schools.

It was not so long ago that teachers were required to contribute, by buying course material, to an organization that collected funds and redistributed them. It was a sort of large communal piggy bank, where the money that was put in was redistributed to authors, artists and writers to ensure a certain degree of respect for copyright.

Elementary school, high school and college teachers make a lot of photocopies. They use materials and give them to their students. In order for it to be worthwhile for authors to continue to produce educational materials adapted to our Canadian and Quebec reality and in order for it to be worthwhile for authors of educational material to produce topical material and to be up-to-date on new information and technology and the new interests of our young people, they have to be compensated. No one is going to produce educational material for the sheer fun of it or for little or no compensation. That is ridiculous. These people need to be motivated to produce material so that our children, our teenagers and our young adults are motivated to learn and have the benefit of educational material that is adapted and interesting. This is an issue that causes considerable concern as well.

Similarly, every time anyone purchased a blank CD, which was used to store music, for instance, a certain amount from each CD was sent to a big, central piggy bank, and the money was then distributed to music producers. Why not adapt that principle—which worked very well and allowed for the distribution of millions of dollars to music producers—to new materials like iTunes and new tools that are used to copy music? Why not allow authors, musicians and artists to receive a royalty on what they produce? There are many such examples that demonstrate how out of touch this bill is.

In closing, I would like to say that, of course, we will vote against Bill C-11. I am sure we will hear the familiar refrain that the NDP is against artists. There is an important distinction to be made. We are in favour of protecting artists and the rights of consumers, and in favour of adapting the Copyright Act, but not to replace it with just about anything, and not just haphazardly.

• (1625)

What we have before us needs some serious reworking, which I hope will take into account the concerns of the people working in the field and all the amendments and suggestions made by other parties.



### *Privilege*

**The Acting Speaker (Mr. Barry Devolin):** It is my duty pursuant to Standing Order 38 to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Scarborough—Rouge River, Post-Secondary Education; the hon. member for Scarborough—Guildwood, Libya.

The hon. member for Rivière-du-Nord.

**Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP):** Mr. Speaker, I would first like to congratulate my dear colleague for her very vibrant and inspiring speech.

At a certain point in my life, I was a songwriter and three of my songs were in the top ten on the charts at the same time. I automatically received my royalties, which were just crumbs, insignificant amounts. These songs were also played in Europe, and I received a lot of money. When I heard that the Copyright Act would be modernized I said to myself that we would finally get a little bit more money and that it would be an incentive to write songs. What I have learned is that artists and creators will lose \$126 million.

That is very disappointing and depressing and I would like to hear what my colleague has to say about it.

**Ms. Lysane Blanchette-Lamothé:** Mr. Speaker, I thank my artist colleague.

The best example I can think of to illustrate my point is the pride we feel when an Olympic athlete returns with a gold medal. These athletes are supported and receive financial assistance. They do not train full-time and also work full-time. No, athletes who perform are well taken care of and supported by sponsors, the government and others.

We are also proud of our artists who perform abroad and of the prizes won by movies, for example. But there are others. There are also all those who make music that may not be aired abroad, who write interesting and current school books for our youth, and so forth. Many artists are affected by this bill and they deserve consideration and a little more support to ensure that they continue to produce material that people will enjoy and be proud of.

**Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP):** Mr. Speaker, my question is for my colleague and it has to do with education and copyright.

Right now, we are witnessing a negative effect of this legislation. In theory, the bill should promote knowledge and culture, but we find ourselves with something that will prevent students, particularly those who live in remote regions, from having access to inter-library loans, which are the electronic transfer of information between libraries.

This means that the whole long distance learning component is jeopardized. This affects all those students who not only take a course but who also use the information provided in that course to learn, to write a thesis or an essay, and so on.

I wonder if the hon. member could tell us about the major problem for a student who lives in a remote region and who wants to write a thesis.

**Ms. Lysane Blanchette-Lamothé:** Mr. Speaker, I did say a few words about it earlier in my speech.

As a former student and teaching assistant at university, I find it very disturbing that Bill C-11 creates problems for students. Again, I do not think the government is using the right approach and targeting the right people. Several changes are required in this regard. Whether it is students in remote regions or students in large urban centres, the important thing is the same: access to Internet and loans between universities.

In order to produce intellectual material, master's students must, as the hon. member pointed out, have access to information and to documents, and for more than a few days or weeks. They also need that access to produce new material and new documents on their research. It is very important to support them in their endeavour and to ensure that the authors get their due, but also that students have access to the information.

\* \* \*

● (1630)

[English]

### PRIVILEGE

#### STATEMENTS BY MEMBERS

**Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP):** Mr. Speaker, I would like to raise this question of privilege because earlier today members on the government side raised issues of decorum in the House, the need for respect and the history of the House. However, during statements by members today, on behalf of my constituents of Scarborough—Rouge River, I raised the very important issue of the need for affordable housing across the country.

Safe, affordable housing is a major issue in my constituency and sadly it is something that too many Canadians go without. Many on this side of the House feel the government does not pay enough attention to this issue. Safe and affordable housing in communities like mine is a huge problem. I was trying to make a statement about this in the House because that is what my constituents asked me to do.

I am seeing almost 3,000 of my constituents lose their homes—

**The Acting Speaker (Mr. Barry Devolin):** Order, please. The hon. member has risen on a question of privilege and I would hope she would get to it. I appreciate her reference to her statement today, but if she could quickly move to the question of privilege, that would be appreciated.

**Ms. Rathika Sitsabaiesan:** My apologies, Mr. Speaker. Clearly it is a very important issue for me and my constituents.

My question of privilege is that when I was making my statement, there was an excessive amount of noise. I was very disappointed that members opposite felt it appropriate to be excessively noisy. It is very disrespectful of the fact that I am here, as are all of us, to speak on issues on which our constituents want us to speak. However, what I was trying to say could not even be heard by members in the House let alone maybe even caught by the recording devices.

*Government Orders*

I feel my privilege was lost. I was unable to do the job that I was sent here to do, which is to speak on behalf of my constituents, because the members opposite were so loud.

I would ask you, Mr. Speaker, to rule that this is a prima facie case of privilege in the House.

**The Acting Speaker (Mr. Barry Devolin):** The Chair will take that under consideration and will return to the House on that if and when appropriate.

\* \* \*

● (1635)

### COPYRIGHT MODERNIZATION ACT

The House resumed consideration of the motion that Bill C-11, An Act to amend the Copyright Act, be read the second time and referred to a committee, and of the amendment.

**The Acting Speaker (Mr. Barry Devolin):** Resuming debate. Is the House ready for the question?

**Some hon. members:** Question.

**The Acting Speaker (Mr. Barry Devolin):** The question is on the amendment. Is it the pleasure of the House to adopt the amendment?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Barry Devolin):** All those in favour of the amendment will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Barry Devolin):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Barry Devolin):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Barry Devolin):** Call in the members.

*And the bells having rung:*

**Mr. Jack Harris:** Mr. Speaker, I would like to request that the vote be deferred to Monday night at the end of government orders.

**The Acting Speaker (Mr. Barry Devolin):** The vote is deferred until Monday at the end of government orders.

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### IMPROVING TRADE WITHIN CANADA ACT

**Hon. Maxime Bernier (for the Minister of Industry)** moved that Bill C-14, An Act to amend the Agreement on Internal Trade Implementation Act and the Crown Liability and Proceedings Act, be read the second time and referred to a committee.

**Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC):** Mr. Speaker, I am pleased to rise to speak to the important amendments contained in Bill C-14 and to how its provisions help promote a vibrant economic union in Canada.

The bill seeks to implement improvements to the Agreement on Internal Trade, as agreed upon by the Government of Canada and all of the provinces and territories. These proposed amendments aim at strengthening the enforcement of this important agreement and ensuring governments are accountable in meeting their obligations toward this agreement.

One element I would like to highlight today is that the bill demonstrates the commitment of the Government of Canada to continuously strengthen our economic union by working in co-operation with provincial and territorial governments. However, it represents other significant developments as well and I would like to take advantage of this opportunity to cover some of them.

First, I would briefly remind the hon. members of what the Agreement on Internal Trade is all about and of the recent improvements to that agreement that go beyond how it is enforced. I think this will help to set out the reasons for the legislation that is before the House today. I will begin by taking a step back to touch on the importance of internal trade to our economy.

From the global perspective, the times continue to be challenging economically. Yet Canada has, through its sound economic and regulatory practices, weathered the storm better than almost any other nation. However, because the global challenges remain, it is more important than ever to ensure that our own house remains economically sound. The government has always taken the position that strengthening trade is not just something we seek to do internationally, but nationally as well. Internal trade strengthens competition which increases choice for businesses and consumers and drives productivity and innovation. To that end, we remain committed to encouraging, facilitating and playing a prominent role in implementing efficient internal trade practices within and across Canada.

The primary vehicle for strengthening the country's internal trade ties is the Agreement on Internal Trade. A bit of the history of the agreement is in order here since, in part, that history sets the stage for our discussions today.

The Agreement on Internal Trade is Canada's only national agreement governing the free movement of persons, goods, services and investments within Canada. On July 1, 1995, the Agreement on Internal Trade came into effect after being signed in 1994 by the Government of Canada and 12 provincial and territorial governments. Among other things, the agreement provides for general rules which prevent governments from erecting new trade barriers and which require the reduction of existing ones in areas covered under the agreement, as well as specific obligations in key economic sectors such as transportation, natural resources and communications, which cover a significant amount of economic activity in Canada. In addition, the agreement deals with cross-sectoral issues such as consumer protection and the streamlining and harmonization of regulations and standards.



### *Government Orders*

To ensure each government lives up to its obligations under the Agreement on Internal Trade, governments and individuals can dispute the conduct of any government party to the agreement. In fact, the agreement contains specific provisions governing the administration and resolution of internal trade complaints. This process is key to ensuring the effectiveness of the Agreement on Internal Trade in committing governments to open and integrated internal markets and a stronger economic union.

One of the most important things to note about the Agreement on Internal Trade is that it is not a static agreement with rules that never change. Rather the agreement is in a constant state of evolution to meet the demands of our ever-changing economic landscape. For its part, the Government of Canada has remained committed to continuously working with the provinces and territories to improve the provisions of the agreement and expand its scope of coverage across the Canadian economy.

Indeed, the AIT has evolved to meet the changing needs of commerce and labour markets. In recent years, for example, the Government of Canada with the provinces and territories have incorporated an agriculture chapter that fosters freer trade of agricultural products. The chapter covering government procurement practices was also expanded to cover additional entities and the labour mobility chapter was also amended.

On the issue of labour mobility, I would like to take a moment to highlight the new AIT obligations to which the Government of Canada and the provinces and territories agreed to ensure better pools of available and skilled labour across the country.

As hon. members know, one of the biggest stumbling blocks to freer internal trade practices has been the matter of labour mobility. Over the decades, it has been a very difficult and contentious issue on which to come to agreement. That is why in January 2009 the Prime Minister and other first ministers were pleased to announce their agreement on amendments to the AIT that would enhance labour mobility in Canada.

● (1640)

In August 2009 a revised labour mobility chapter came into force. The new provisions ensure that a worker certified by regulatory authority in any one province or territory shall be recognized as qualified by all other provinces and territories. Certified workers are no longer required to undergo additional material training, testing or reassessment, resulting in seamless recognition across provinces and territories. The net result is improved employment opportunities and better access to a larger and richer pool of human resources for Canada's employers.

As we see, internal trade is a key to our economy and the AIT has allowed the Government of Canada, with the provinces and territories, to get things done toward building a better and stronger Canada. Our collective efforts are ongoing.

Bill C-14 is the next step toward improving trade within Canada. The bill would improve the dispute resolution process and the enforcement mechanism of the agreement on internal trade.

Let me say why this is important in today's context. A commonly-recognized challenge within the agreement has been the effectiveness of its dispute resolution mechanism. The lack of strong

enforcement tools has made the agreement less effective than it could be in ensuring freer and open internal markets. Without credible penalties, panel rulings could be ignored without consequence, and this issue has been raised by a number of private sector stakeholder groups, think tanks and even international organizations.

The Government of Canada understands and shares in the view that the agreements on internal trade need stronger enforcement. For this reason, all parties agreed in October 2009 to changes that would improve the dispute resolution process and strengthen the enforcement tools under the AIT. These changes apply to disputes between Canadian governments party to the AIT and not to disputes raised by or against a private citizen, business or association.

Key to the changes that were approved is the integration of monetary penalties that can be applied against a government for its continued failure to comply with the agreement. Simply put, an administrative monetary penalty is like a fine that is imposed on a government because it has not lived up to its end of the bargain in keeping our internal boundaries open for a more integrated economy with a multitude of choices for Canadians. With these fines now built into the process, they provide governments with an additional incentive to ensure they comply with the agreement and that they do their part in contributing to the sustainability of our economy.

How much are these penalties? The size of the monetary penalty varies by the population of the jurisdictions in question to take into consideration the budgetary constraints of some of the smaller governments. Maximum amounts range from \$250,000 for the smaller provinces and territories like P.E.I. and up to \$5 million can be applied against the Government of Canada and the larger provinces like Ontario and Quebec.

Furthermore, these amounts take into consideration the severity of the conduct in question. The new changes to the dispute resolution process permit a body called a compliance panel, that deals with disputes against governments for non-compliance with the agreement on internal trade, to determine an amount that corresponds to the negative impact of the measure in question. It also takes into consideration whether a government has made good faith efforts to remedy its situation so as to ensure that it is in compliance with the agreement.

Hon. members should also know that a government can lose its privilege to raise a dispute against another government if it fails to do its part in rectifying its non-compliant conduct. The application of these measures would encourage all parties to comply with their obligations and, over time, help to create a free and open market with better choices for businesses and consumers. In addition, the new process allows for appeals and for new qualification criteria for panel members.

In brief, those are some of the agreements on internal trade amendments agreed to by the federal government and provincial and territorial governments on the enforcement side. To back up our agreement, the 13 governments have either completed or are in the process of taking the necessary steps to implement these changes in their jurisdictions, including introducing new or amended legislation.

This is where we now come to Bill C-14, which is the Government of Canada's proposal to implement the new enforcement requirements under the agreement on internal trade. Bill C-14 is a very short bill, so there are not many specifics to account for, but it is what is in these provisions that makes for some powerful messaging.

Bill C-14 seeks to fulfill federal commitments made when it joined the provincial and territorial governments to provide for a stronger enforcement mechanism for government-to-government disputes under the agreement on internal trade. It is the legislation required for the Government of Canada to ensure that the new dispute resolution process under the agreement can be implemented for the federal government.

● (1645)

Under the new changes, governments have agreed to include monetary penalties. With Bill C-14, the Government of Canada will ensure that any monetary penalties awarded against it can be enforced in the same manner as an order of the Federal Court of Canada.

This is the important point. With the passage of this bill, it means that monetary penalties against the Government of Canada may be triggered for payment through the legal system and from the federal consolidated revenue fund if the government ever failed to make a payment.

I am not saying that should ever happen, but as this government is committed to act responsibly with respect to its commitments for a stronger economic union, it is also important to back that up with real accountability for that commitment. It is about being accountable for our actions as assessed by a qualified panel focused on Canada's internal markets.

This is not all that Bill C-14 does. It also provides for governor-in-council appointments of panel members to follow new qualification criteria to improve the decision-making process. It takes care of some other housekeeping amendments to the AIT implementation act and Crown Liability and Proceedings Act so that the supporting legislation is clear and up to date.

At the end of the day, Bill C-14 is a demonstration of the federal commitment to improving the agreement on internal trade and to continue strengthening the economic union. As provinces and territories are also taking similar steps in their jurisdictions to implement the new changes to the dispute resolution process, the bill is also a symbol and a reminder of our collaborative efforts in working with the provinces and territories to make the agreement more enforceable.

I believe in these efforts. Together, as each government ensures the changes are effective across the country, Canadians will have a stronger national agreement that will collectively address some of

the concerns and recommendations raised by stakeholder groups and hold its governments more accountable.

The clock is ticking. As Bill C-14 covers implementation of the changes for only the Government of Canada, provincial and territorial ministers of the committee on internal trade, with the agreement of their premiers, have completed or are in the process of passing similar legislation, or taking other steps necessary to ensure that accountability for compliance with the agreement on internal trade is widespread across the country.

I have spoken of the importance of internal trade for the economy, the role of the national agreement on internal trade, recent improvements to that agreement, and about the specifics of Bill C-14. Before I conclude, I will reiterate a few points on the importance of internal trade for the economy.

Internal trade for our multi-jurisdictional federation is a critical issue. This is a priority for the Government of Canada, which remains committed to working with the provinces and territories for a stronger economic union.

I mentioned already that Canada's governments have ensured greater labour mobility, introduced an agriculture chapter to the agreement on internal trade, and improved the coverage of government procurement rules. Something I did not mention is the success that we have made in removing barriers to interprovincial trucking. These efforts are all consistent with the ingredients necessary to build a stronger economic union that takes into consideration the need to work with provinces and territories to remove barriers that restrict businesses from growing, competing and producing. They are all critical elements for Canada to sustain its economic standing during these tough economic times.

I say to my hon. colleagues that at first glance Bill C-14 may seem to be a short and fairly technical bill pertaining to the administration of monetary penalties under the dispute resolution chapter of the agreement on internal trade and that, in the scheme of things, the changes may seem relatively minor. From a technical point of view that may be so, but from a principled point of view, they have real importance.

As we in the federal jurisdiction pass Bill C-14, we join our colleagues from other governments. Together, we show that the Government of Canada, with the provinces and territories, is committed to making national progress in removing economic barriers to more competitive markets with greater choices for Canadians. In that broader sense, we all triumph from the co-operation of governments working together for the greater good of Canada and the economic union that we are all proud of and part of.

The effective administration and evolution of the agreement on internal trade will continue to depend on co-operation. As the Government of Canada, we need to uphold our part of the relationship and pass Bill C-14. I now urge all members of the House to pass this important piece of economic legislation, so that we can do exactly that.



*Government Orders*

● (1650)

*[Translation]*

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I thank my colleague who presented the government's proposal. The Agreement on Internal Trade has been around for 17 years and allows for the free movement of persons, goods and services. The NDP is in favour of increased co-operation among the provinces with respect to internal trade.

Where we have some concerns is with the agreement itself. I am not necessarily talking about the bill, but about the agreement that the bill would amend. In terms of structure, it is rather similar to NAFTA, in the sense that it allows people or businesses, for example, to take a province to court if they deem it necessary. The problem with NAFTA, as we have seen in the past, is that a company can use this provision, not necessarily to win a legitimate case, but to create what we call a chilling effect on a province that might use its legislative power for environmental causes, for example.

What does my colleague think about the Agreement on International Trade with respect to the possibility of creating a chilling effect by giving investors the opportunity to take a province to court?

*[English]*

**Mr. Mike Lake:** Mr. Speaker, I welcome the hon. member to the industry committee where he has just joined us. I look forward to working with him on this and other things that we study at the industry committee.

With regard to the question, the bill is fairly straightforward. It does not deal with many of the things that he talked about in the question. It is following through on an agreement made by the federal government and agreed to by the provinces and territories that are part of the agreement, the provinces that have members of the legislative assemblies from all parties, and governments representing all parties.

It is a bill that is widely seen as being very important by all parties across the country, simply dealing with the enforcement mechanisms mainly to ensure that there are actual teeth behind the agreement and ensuring, again, we have that free flow of persons and goods and services across this country that are critical for us to maintain the leadership position that we have globally, economically, the position that has Canada being, really, the envy of the industrialized world when it comes to our approach on the global economy.

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, I was thinking of what Winston Churchill once said. He was asked about his political opponent Clement Attlee, "Isn't he a modest man?" and he replied, "A modest man, but then he has so much to be modest about". I am not speaking here of my opponent, although he is modest. However, I think his government, actually, is not modest, although it does have much to be modest about.

In fact, this is a very modest piece of legislation for us. Although it was interesting to hear my colleague actually say that this is really about powerful messaging.

Should we not want more than that in this House? Should we not want some powerful substance, instead?

It really does not do much. It does a little bit and that is good. The protocol makes some small steps in a positive direction. However, what concerns me is that the government is ignoring the real economic problems with the country; particularly, at a time when we see what is happening in Europe. Even China, now, is expecting to have lower growth.

We are looking at very difficult times around the world economically and we see a government that is sleepwalking toward it. We have people with real problems, facing joblessness, not getting much help through this period. In the meantime, what do we have the government doing? The government gets Parliament to authorize \$50 million for border security and ends up spending it on pork-barrelling in a member's riding hundreds of kilometres away from the border. What kind of responsibility is that?

● (1655)

**Mr. Mike Lake:** Mr. Speaker, I will not thank the hon. member for the question. There really was not even a hint of truth in that question or any facts in that question.

I can talk about some facts. I can talk about some reality for the hon. member. The reality is there were 600,000 net new jobs created in Canada since July 2009.

The reality is we have the soundest banking system in the world, according to a very credible third-party source, the World Economic Forum, four years in a row. The IMF and OECD, again, which are very credible third-party organizations, have said that Canada continues to lead the industrialized world through a time of very difficult global economic uncertainty.

There are those around the world who are praising Canada. Canada is the envy of the world, in terms of our approach to the global economic slowdown. Yet, all that we see from the opposition parties, both the NDP and the Liberal Party, are ideas to turn a complete 180 degrees, to go in exactly the opposite direction, to raise taxes. The very taxes that are lower now under this government and have been credited for Canada's economic strength, the opposition parties want to raise. We are not going to go in that direction.

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Mr. Speaker, the previous speaker just does not get it. This is a bill that could actually help his constituents.

I am from Fort McMurray and, of the almost 10,000 Albertans who live in my city, most of them are from somewhere else in Canada. This was a huge issue for my constituents in the previous election, the previous one to that and the previous one to that. Most of my constituents are from areas closer to his home town than my home town. I cannot tell the House how much my constituents want this legislation. It means jobs and it would add to Canada's economy.

I would like the member to tell me how he thinks his constituents feel about this legislation, because it would affect the jobs that they want in order to take money back to their families and establish new lives in Alberta and elsewhere.

*Government Orders*

**Mr. Mike Lake:** Mr. Speaker, as the Edmonton caucus chair for the Conservative Party, I have had the opportunity to meet with several business groups, employer groups and many constituents. One of the top concerns that I hear time and time again is that they cannot find the labour they need in Alberta right now. At a time when Canadians need jobs, and there are still Canadians who are looking for work and need jobs, in excess of the 600,000 net new jobs that we have created, there is a place where jobs are available. However, we need to ensure we have measures in place to encourage labour mobility in this country.

Back in 2009, the Prime Minister made an agreement with the provinces and territories on this issue. The legislation that we are talking about today would put teeth behind that agreement. It puts penalties in place if the federal government does not meet its commitment in regard to that agreement.

This is not a long piece of legislation but it is important. We hope that we can count on the support of members of all parties in the House to get it passed quickly.

**Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.):** Mr. Speaker, the parliamentary secretary did not include a description of the current progress or lack of progress on issues surrounding chapter 11.

In 2007 there was agreement between the first ministers of the 10 provinces and 3 territories and the federal government to conclude work on an energy chapter. Would the parliamentary secretary be able to provide an update to the House as to whether a comprehensive energy chapter will soon be completed and included in the internal agreement on trade?

• (1700)

**Mr. Mike Lake:** Mr. Speaker, the agreement on internal trade is an evolving process and it will continue to evolve. This government will continue to be focused on all factors within the agreement.

In regard to energy, it is not helpful when members of the New Democratic Party travel down to the U.S., our largest trading partner, and lobby against the interests of Canadians. That is absolutely not helpful when we are dealing with issues on energy security.

What is also not helpful in the area of our energy sector, which tends to be driving the Canadian economy and the social programs that we hold so dear here, is parties proposing things like a carbon tax, which the hon. member's colleague from Vancouver Island just recently raised again. It has been part of the election platforms of both the Liberal Party and the NDP in previous elections. That is not helpful to the Canadian economy.

[Translation]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I am very pleased to address Bill C-14, An Act to amend the Agreement on Internal Trade Implementation Act and the Crown Liability and Proceedings Act, which proposes amendments.

I am pleased because, regardless of what members opposite may say, the NDP supports the removal of domestic trade barriers, the expansion of internal trade and also labour opportunities and mobility. More specifically, we support the parts of this bill that will

facilitate the movement of Canadians from province to province to get work. So, we think that some aspects of this bill are worthwhile.

As the hon. member knows, the Agreement on Internal Trade is an agreement between the provinces and the federal government that was signed in 1994 and came into effect in 1995. Since then, it has been amended several times. We are currently addressing the content of the 10th amendment. An 11th amendment has since been proposed and negotiated. We must recognize—and this is the point that I tried to raise in my question to the hon. member—the importance of striking a balance in a free trade agreement like this one, because this is really what it is.

It is a free trade agreement that is more similar to the one negotiated under NAFTA than to those that were ratified at the World Trade Organization. It is also obvious that an agreement like the Agreement on Internal Trade results in a loss of sovereignty for the provinces. That is the foundation of the accord. The provinces have signed it, and they have accepted it. However, the fundamental issue has to do with balancing that loss of sovereignty. I will elaborate on this later on.

We should also expect that agreement to harmonize standards between the provinces which, in many cases, may be a good thing. However, a lack of balance in this regard could trigger relatively serious problems for certain sectors. Indeed, it could create obstacles to a province's ability to legislate on the environment, workplace safety and other issues that may not constitute a trade barrier as such, but may have to do with specific concerns in the province involved.

There have been cases under the Agreement on Internal Trade. There was one that pitted Ontario against Alberta and British Columbia concerning substitutes and dairy blends. In fact, Ontario banned the sale and manufacture of various products that resemble or imitate products made out of milk or milk ingredients. The 2004 panel formed to talk about this issue found that Ontario's Edible Oil Products Act contained measures that were not compliant with the Agreement on Internal Trade. The 2004 panel found that the measures were discriminatory, that Ontario's dairy products constituted a like product and that Ontario gave them better treatment.

The panel also found that the measures interfered with the right of entry and exit, as the Edible Oil Products Act restricted or prevented the movement of goods and related services between provinces and created an obstacle to trade. After the report of the panel formed under the Agreement on Internal Trade was issued, Ontario had until February 1, 2011, to comply.

I want to know whether Ontario was denied its ability, not to protect its dairy sector, but to establish a distinction between the consumption of dairy products and edible oil products, which are different but try to imitate dairy products or milk itself.



*Government Orders*

Ontario still claims that protecting its dairy sector, not from a commercial point of view but from the consumer's point of view, is a legitimate objective. This also raises another question about supply management. We know that supply management in Canada affects the Maritimes, but it mostly affects three provinces: Ontario, British Columbia and, naturally, Quebec. Quebec and Ontario alone account for 50% of dairy production in Canada.

● (1705)

These two provinces are strongly committed to fully protecting the supply management system. What does the Agreement on Internal Trade say?

The chapter on agriculture allows parties to adopt or maintain measures concerning supply management systems that are regulated by the federal and provincial governments as well as measures concerning marketing boards governed by the provincial governments, which are not technical specifications.

According to the agreement, a technical specification is a technical rule or standard, a sanitary or phytosanitary measure or a compliance evaluation procedure. Based on that definition, is supply management protected? We are not entirely sure.

A technical specification is a technical rule, a document or a legal instrument that sets out characteristics of goods or their related processes and production methods, including applicable administrative provisions, and compliance with it is mandatory under the law. It may also deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a good, process, or production or operating method.

What is the point of supply management then? Can we protect the milk market? Perhaps, but we cannot regulate its manufacturing process, labelling, production method or characteristics in order to keep people from skirting the system by using analogs.

I am raising the issue of supply management because an agreement such as the Agreement on Internal Trade will surely have ramifications in terms of the free trade agreements we negotiate overseas. All of the rules that we want to apply to internal trade here are closely followed by our international trading partners. They can see the potential for loopholes and could ask for elements that were protected or were not on the negotiating table with the Government of Canada in the past.

As with any free trade agreement, it is crucial that there is a clear framework regarding the responsibilities of the parties. It is even more important to have the flexibility to protect sectors that are central to the economy of the parties, such as supply management. And this issue also brings up the question of programs that promote eating local. This is not a public health issue or a consumer protection issue. According to the Agreement on Internal Trade, it might therefore not be a legitimate objective.

Will these policies be challenged under the Agreement on Internal Trade because they give local products a higher profile? We are in favour of introducing exceptions so that the groups created under the Agreement on Internal Trade to judge cases can consider some of these exceptions. Once again, these exceptions are not there to impede commerce or to cause problems in terms of interprovincial

trade. We are more in favour of a real response to the specific needs of several provinces.

Many of the concerns raised by the government and these groups warrant our attention and, accordingly, the NDP would like to call expert witnesses in committee in order to get some clarifications on the potential impact of such a bill.

As I pointed out, it is important to understand that the Agreement on Internal Trade is similar to NAFTA in terms of its structure. One of the things about NAFTA that worries us—and it still worries us because NAFTA is still in effect—is chapters 11 and 19, particularly the provisions on investor states. Those provisions allow investors to sue foreign states directly. Thus, an American investor can sue the Canadian government or the Mexican government for anything it considers a constraint on its ability to do business in a country or its ability to make a profit in that country. Of course, some exceptions exist in NAFTA, but they seem pretty weak.

This brings me to the measures that were the subject of the question I asked the Parliamentary Secretary to the Minister of Industry. We are talking about companies that launch lawsuits against certain governments for reasons that are not necessarily trade-related, but that aim to prevent a given country from enacting completely legitimate, pertinent legislation, in this case, on the environment.

● (1710)

I will give two examples. Dow AgroSciences sued Canada for \$2 million because Quebec prohibited the use of pesticides manufactured by that company. We all agree that pesticides are a basic environmental issue that has been around for at least 40 years. A number of products sold by various companies are recognized as being harmful not only to the environment, but also to the health of people who live close to areas where these pesticides are used.

Dow AgroSciences has tried, and continues to try, to sue Canada for \$2 million because of the ban. This is not the only such suit. The Crompton company has also sued Canada for \$83 million because some municipalities have banned the use of the pesticide lindane. These two examples clearly show the weakness or the lack of balance in investor-state provisions when it comes to the state's ability to protect public health.

The Agreement on Internal Trade contains provisions that allow a person or a business to sue another province for decisions, regulations or laws that it deems to be contrary to its interests and to its ability to do business in that province. These aspects are dealt with in the agreement in effect negotiated between the provinces and the federal government. We will continue to talk about these aspects and any provisions of international or domestic agreements that do not uphold environmental rights or workers' occupational health and safety rights. We want the provinces to always have the opportunity to regulate their environment and to protect the health of their people.

We are in favour of the Agreement on Internal Trade to a certain extent, as long as it addresses all the points that I just raised. We want the bills related to the Agreement on Internal Trade or to international agreements to avoid encouraging policies that force deregulation or privatization on the provinces and territories. We want these bills to avoid pushing the federal or provincial government to have power of attorney over certain interests of an industry or major investor.

We also want to prevent the bills from seriously reducing a government's ability to buy products from local suppliers. That is an element that is very important, particularly when it comes to the strategy for economic recovery. We want to avoid limiting the provinces' and territories' ability to help their provincial companies and industries as part of an employment or economic recovery strategy, or preventing them from doing so.

In any free trade agreement, there must always be a balance between the various interests. Bill C-14 includes provisions that are encouraging in some respects. I mentioned the legal action taken against Canada under the North American Free Trade Agreement. At least, this bill limits the potential impacts of such legal action. We are talking about economic impacts of approximately \$5 million for a fairly large province like Ontario, Quebec or British Columbia. On a per capita basis, the maximum fine would be less depending on the size and population of the province to prevent what is often frivolous legal action from being brought against the provinces and to produce what I call the litigation chill effect and avoid things like the \$83 million dollar case that I just mentioned. There are even cases that involve several billion dollars. Yet, I feel encouraged that a limit such as this one was imposed.

Another one of our concerns about this bill pertains to the composition of the panels, to those who are presented by the parties to hear a specific case.

• (1715)

Of the five members who can be presented by the two parties involved, only one must be an expert on Canadian commercial law. The other four individuals may have other expertise not necessarily related to the case at issue. We think that is a problem, and it should be corrected.

The other problem is that only one of these five individuals must be bilingual and be able to work in French and in English. Why only one? This means that if there is one bilingual individual in a group and the other four members do not speak French, the discussions will take place in English. If we were dealing with different commercial laws, we could have required, for example, that a good proportion of members be bilingual and able to carry discussions in French and in English. However, I do not see the justification for having only one bilingual person on either side, just like we fail to see why only one individual should be an expert on Canadian commercial law.

Therefore, the NDP will definitely support this bill at second reading, so that we can discuss it in committee and correct some flaws, such as a certain lack of balance. We notice a lack of definitions or limitations that could apply to some people, businesses or provinces to prevent the possible use of the investor-state provisions. These provisions can sometime have a chill effect and result in a province being reluctant to make undertakings, to agree or

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to legislate, even for the good of its citizens, on environmental issues or on their own stimulus measures. I am thinking of municipalities among others.

That is why we want to take a closer look at this bill. We will have a chance to do so in committee. I really appreciate this opportunity to present our views on this legislation.

I will be pleased to answer any questions.

[English]

**Mr. Dennis Bevington (Western Arctic, NDP):** Mr. Speaker, it is not often that I have a chance to stand up and speak after such a great discussion by my colleague. I am pleased to do so.

We are all in favour of improving trade within Canada, but sometimes it does not work that way in the more remote regions of the country where, in order to provide services to people, we have to give businesses opportunities to compete. In many cases in communities across the far north there is a business incentive program. An incentive is provided to a business that locates in a community and pays the high cost of putting up an office building or a facility in a community where the costs are so much higher than anywhere else. Then that business is expected to compete with southern businesses that act like carpetbaggers. They come up and skim off all the good business. To avoid that issue in the Northwest Territories we have always had a business incentive policy that encourages businesses to actually provide services to the people of the region in their own communities.

How does the member see that this particular internal trade bill would work for the people of the Northwest Territories, the people whom I represent and want to see have the same opportunities as others across this big country?

• (1720)

[Translation]

**Mr. Guy Caron:** Mr. Speaker, I thank the hon. member for Western Arctic for his question.

The issue that he raised also exists in my riding, which is considered to be a remote region, since it is far from large centres. I think that the hon. member for Gaspésie—Îles-de-la-Madeleine, whose riding is close to mine, could say the same. These are particular situations. Because these regions are remote, the trade reality is not the same as it is in large cities like Toronto, Calgary, Vancouver, Montreal or Halifax.



*Government Orders*

The reality is different because the level of competition is not the same. If we want to promote emerging or developing local trade in the regions—which, until now, was less developed but which is trying to expand—we must also be able to rely on local initiatives. It is in that sense that the agreement may be problematic. Resorting to fines like this one, even though they are less heavy and have some cap, can become problematic for some regions—and I am thinking of the Northwest Territories, where the hon. member hails from—for the future ability of the territories to develop their own economic policies. I fully agree with my colleague on this issue. I have the same problems in my riding and those problems also exist further east in Quebec.

**Mr. Pierre Jacob (Brome—Missisquoi, NDP):** Mr. Speaker, does my colleague think that there is no longer such a thing as “small is beautiful”?

With respect to farmers, will Bill C-14 directly threaten small producers and small specialized markets which, if I understand correctly, will now have a harder time setting themselves apart? This bill will give more powers to people who do not view prioritizing local markets and agri-food identity favourably.

In my riding, there are vineyards and small-fruit farmers who produce apples, blueberries, pears, raspberries, etc. They will no longer be able to sell their products effectively. Also, if we penalize the markets, SMEs will have fewer chances to obtain contracts to provide goods and services, since priority could no longer be given to local businesses. I would like to ask my colleague whether this will do more harm than good for farmers and SMEs.

**Mr. Guy Caron:** Mr. Speaker, I want to thank the hon. member for his question.

The question is not necessarily whether this is going to help or hinder. It is a question of balance. Once again, we are more likely to find a possible problem at the heart of the Agreement on Internal Trade in the future, the possibility of using the agreement to determine, for example, that Quebec's supply management and marketing practices could be disputed by a province that is not necessarily involved in dairy production, but is aiming to enter the market by trying to pass off its product as a milk substitute. As far as the agricultural sector is concerned, the Agreement on Internal Trade makes it hard for one province to apply rules on labelling, marking, marketing, etc. It is because of the potential abuses of the agreement that we do not see eye to eye with the Conservatives and the interpretation of the agreement.

There have not been any abuses yet, but that does not mean they could not happen in the future. The bill mentions that fines could be imposed on provinces and territories that contravene a panel decision. That could convince a province not to further protect sectors that are essential to Quebec and its regions.

• (1725)

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, I would like the hon. member to tell us how he imagines the 2009 protocol, which is dealt with in the bill, would affect his riding. What other changes does he think will occur in this protocol or for the internal trade agreement between the provinces?

**Mr. Guy Caron:** Mr. Speaker, I would like to thank the hon. member for his question. My riding of Rimouski-Neigette—

Témiscouata—Les Basques is fairly remote and it is considered a resource region. Quebec implemented certain measures that benefit my riding, including a tax credit for resource regions. According to the terms of the agreement itself and not the bill, if a province can make the decision, it can be challenged.

However, the agreement also has some advantages. I said that we were in favour of a greater flow of goods and services and of improved labour force mobility. Domaine Acer, a company in Témiscouata, produces alcoholic beverages made of maple sugar or sap. They are quite delicious, by the way. This company would like to be able to export its products more freely outside Quebec, and that is a commendable goal.

In that sense, the bill could have positive effects by facilitating the trade of certain products. However, it could have more negative effects on my region's ability to apply the rules to develop its commercial sector differently than that of the larger centres, given its distinct character. If such is the case, according to the bill, there could be penalties imposed on Quebec in order to convince it not to go in that direction or to prevent the municipality or my region from doing so.

These are the types of questions that we want to be able to discuss in committee. That is why we are going to support this bill at second reading so that we can continue to discuss these issues in committee.

[English]

**Mr. Andrew Cash (Davenport, NDP):** Mr. Speaker, in southern Ontario there is an innovative program where farmland that is being underused is matched with young farmers who have been encouraged to come to southern Ontario and experiment with crops that people in Toronto, especially in the ethnic communities, want to buy. These are crops that they would normally would have to ship in from the Caribbean, Latin America or India and Pakistan.

It is an exciting program, reflecting interesting niche markets and a diversity of business opportunities. It serves a real market.

I am wondering if my hon. colleague, who has done such a great job with this overview, could speak to the concerns around this diversity of access for farmers.

[Translation]

**Mr. Guy Caron:** Mr. Speaker, I come from a riding where there are a lot of farmers. This type of proposal or initiative from a region or province is completely commendable, especially in times such as these when our businesses and our agriculture industry in general, particularly family farms, are having difficulty. If we want to diversify and fine-tune our research and our methods, this type of initiative is a very good idea.

Honestly, I hope to see this type of initiative implemented more often in Ontario, Quebec and elsewhere in Canada. Based on the provisions of the Agreement on Internal Trade, I do not see any major problem because I do not think that this gives Ontario or the region any particular advantage in this case. According to some analyses or interpretations of the agreement, it could eventually be the subject of a frivolous lawsuit, which is a concern for us because we want to avoid this type of imbalance.

•(1730)

**The Deputy Speaker:** It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

## PRIVATE MEMBERS' BUSINESS

[English]

### MULTIPLE SCLEROSIS

**Mr. Leon Benoit (Vegreville—Wainwright, CPC)** moved:

That, in the opinion of the House, the government should help ensure that patients suffering from Multiple sclerosis (MS), and their families and caregivers, have access to the information they need to make informed decisions in the management of their condition by ensuring that: (a) the MS monitoring system currently being developed by the Canadian Institute for Health Information contain specific and useful information, accessible directly to patients, on the risks, benefits, and other relevant aspects relative to undergoing surgical treatment for chronic cerebro-spinal venous insufficiency (CCSVI); (b) departments, agencies and programs work closely with provincial and territorial counterparts, with health professionals associations, such as the Royal College of Physicians and Surgeons, and with patient groups, such as the MS Society of Canada, on the sharing of up-to-date research-based information on the nature of CCSVI and its link to MS; and (c) the government's two advisory boards dealing with MS ensure the patients' concerns and views are well represented and heard at future meetings.

He said: Madam Speaker, I note that it is a very complicated motion. I would have preferred a simpler one, but I think it was required to get the message across.

I am honoured to speak to my private member's Motion No. 274. It is a motion to help ensure that patients suffering from multiple sclerosis, MS, and their families and caregivers have access to the information they need to make informed decisions on the management of their condition.

In most situations, of course, they would get this information from their doctors. However, for some MS sufferers in the advanced stages of the disease, they simply cannot get the information they need in order to make the decision on whether to have the liberation therapy or CCSVI treatment. If they have already decided to have the surgery, they need to decide where to have it done. I will explain why their doctors cannot give them this information.

First, this treatment is not available in Canada because it has not been approved as a treatment for MS. It is simply too new.

Second, most doctors simply do not know enough about the treatment to give patients advice on it. Because the science is not complete, it would be difficult for doctors to advise patients to have a procedure done outside Canada.

The purpose of my private member's motion is to establish an information portal to allow MS sufferers who are considering having

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the liberation therapy outside Canada to get anecdotal information from others who have already had the procedure done. This would also allow people who have already decided to have the treatment to obtain information about the process, particularly about the results, in various clinics outside Canada. Of the many people suffering from MS that I have talked to, especially those who have had the procedure done, there seem to be different results from different clinics.

To be clear, my private member's motion is meant to fill a desperate need for information, just over the next two to three years until the scientific processes are complete or at least far enough along to release the information to the public.

What is MS?

Despite the amount of research to date, little is known about the disease or what causes it. While there are different theories, there are still questions about what causes MS.

There are four types of MS identified and a wide variety of symptoms for MS patients. It is an unpredictable disease that can affect a patient's vision, hearing, memory, balance and mobility. The most common form of MS is defined by attacks which are followed by complete or partial recovery. Eventually, the part of the body that is affected by the attacks loses its ability to recover and scarring begins. This can lead to more permanent damage. At the point when MS is diagnosed, the severity, the progression or the specific symptoms that might be suffered simply cannot be predicted.

For some types of MS, a sufferer will be immobilized to the point of needing constant care. Even if the MS sufferers are still very young, they are often put into institutions intended for disabled elderly people. They find this to be very difficult to take and they are looking for some way to get around it. These are primarily the people who are looking to this liberation therapy for help.

In June 2009, Dr. Paolo Zamboni from Italy published his first study that involved approximately 65 patients who underwent the CCSVI treatment. The CCSVI treatment is also referred to as liberation therapy or liberation treatment. It is a surgery that improves blood flow in certain veins which carry blood from the brain or upper spinal column. CCSVI itself is actually a restriction of the flow of blood drainage from the brain and spinal column. The treatment frees up this flow.



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● (1735)

Dr. Zamboni's treatment initially came from the concept of standard angioplasty which is used widely in Canada and around the world. This is a procedure where doctors use balloons to open blocked arteries that carry blood from the heart. Dr. Zamboni teamed up with a vascular surgeon, Dr. Galeotti. They began treating patients to see if endovascular surgery using these balloons to open veins would repair flow in the vessels and reduce MS symptoms. The study resulted in patients' experiencing a reduced number of attacks, fewer brain lesions that define MS, and most importantly, an overall improvement in the quality of life of many of the patients.

Unfortunately, when the veins start to narrow again, the patients' symptoms start to return. Since Dr. Zamboni's first study, the process has evolved and is different in different clinics. Therefore, when people are considering getting this procedure done, or have decided to have it done and are deciding where, they will benefit from even anecdotal information about the results achieved at different clinics in the United States or around the world. This procedure is unavailable in Canada.

Why have I chosen this topic for my private member's motion? Because I will only get one chance in the four and a half years of this Parliament to put forth a motion and have it debated. In fact, probably not everyone in the House will have that opportunity, even in this Parliament which will be longer than usual. Why have I chosen this motion on this issue? It is for many reasons, and the most compelling reasons come from my constituents. Groups in Lloydminster and Wainwright, and individuals from across my constituency have contacted me to tell me how desperate they are for information to help them make this decision.

For several months, I have been meeting with not only constituents, but with the Minister of Health, representatives from the Canadian Institute for Health Information or CIHI, doctors researching CCSVI treatment and other treatments, representatives from the MS Society and a lot of other people.

From these discussions, it was clear that there is great hope in the CCSVI treatment. People from around the world are working to get more answers regarding the treatment. In fact, our government has implemented a very comprehensive plan which is being implemented on an accelerated timeline, beyond anything I could have imagined done by government, to determine the potential of this procedure.

The people in the Lloydminster group are great people. They presented their case so well and I simply could not say no. That is why I am here today debating this issue.

The CCSVI treatment is new. It has brought new hope to many MS sufferers, particularly those in the later stages of progressive types of MS. Because the treatment is not yet offered in Canada, Canadians seeking this treatment must travel to the United States, Mexico, Poland, Costa Rica and a wide range of countries. Despite the high cost of getting the treatment abroad and the difficulty in travelling, MS patients are forced to undertake the cost in order to get their lives back. This is the kind of terminology I have heard from people who have had this therapy and from others who are looking at the possibility of it.

Our government is currently working on clinical trials, studying this liberation therapy and its potential at an unprecedented rate. We are including information from around the world. Despite all the work being done, Canadians with MS are questioning whether they should have the treatment and if so, where. The purpose of my motion is to provide this information portal where people considering the process can read testimonials based on a wide range of fairly comprehensive and specific questions.

● (1740)

Individuals can then take this information and have at least something to help them with this difficult decision. Information is available right now online, but it is very limited. The Lloydminster group was very lucky. About a dozen people have had this procedure someplace around the world. People can talk to them, and they do that, but they are looking for more information. That is the purpose of my private member's motion.

This database would be confidential, of course, and would not advocate that patients have this liberation therapy done. The procedure has not been well enough proven to do that. It is simply meant to be testimonials by people who have had it done.

Instead, it would allow people to access information that may assist them in their decision-making process. This information would come from others who have had the therapy done at various clinics and can comment on such things as the clinic, the doctor, how long ago the therapy was done and all the various things that make a real difference.

Unbelievably, Zamboni only came out with his study of this result a little over two years ago. In that two years, there have been incredible progression and improvements and changes made, more in some clinics than in others. That is the type of information that is meant to be provided on the database.

It is extraordinary that a report released just two years ago has had this kind of impact. There is a lot of controversy surrounding the results, but it is impossible to ignore the results.

I have spoken to MS patients and their families first-hand about the effects of this treatment, and most of them have found quite remarkable improvement, especially in clarity of thinking. We can imagine living in a fog for years and all of sudden being able to think clearly. That is one of the greatest impacts. So is improved mobility. There are many benefits, although I have spoke to a couple of people who did not have any noticeable results, so this is not a panacea. It is not perfect, but it is something.

In describing this to me, some have said they don't know what the findings will be after the trials are conducted, but what they do know is that this CCSVI treatment has given them hope. They say they have something to live for again. Others have said it has given them their life back.

● (1745)

[Translation]

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Madam Speaker, I would like to highlight the very worthy effort that the member opposite has made by moving this motion that addresses the problems with multiple sclerosis, the complexity of the disease and the lack of information that is crucial for treatment.

Since specialists, experts, researchers and scientists do not all agree on the link between CCSVI treatment and multiple sclerosis or on the controversial side of the disease, and since a number of patients are frustrated and are hopeful about this treatment and their recovery, will the government ensure that this process goes through all four phases of clinical trials? The first two phases are currently underway. Will the government ensure that this progresses to the fourth phase and that there is a consensus in the scientific community before this treatment is recommended?

[English]

**Mr. Leon Benoit:** Madam Speaker, the member's question is extremely important. What I am proposing in no way makes any commentary on the effectiveness of this procedure, but the personal stories told to me have had an impact on me and leave no doubt in my mind that there have been some extremely positive benefits for some people. After talking to experts at Health Canada and other experts, I know that there does not seem to be any risk for this procedure beyond the normal type of risk for that type of operation.

This issue will go on over the next two or three or four years and beyond. A scientific determination will be made. The appropriate scientific process is taking place, as I mentioned in my presentation, at a rapidly accelerated pace.

If we were to find some real problems and risks in having this procedure done, then I suppose the government could have some egg on its face, except that the government has heard the same stories I have from people who have seen their lives benefit dramatically as a result of the procedure.

The scientific process will take place. The information gathering will be done by the government, but this portal would help fill an important gap over the next two or three years, which can seem like a lifetime, and can be a lifetime, for some MS sufferers.

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Madam Speaker, I have a relative who had this surgery and I am interested in the types of questions that would be collected and that patients would answer.

I want to compliment the member as well. The surgery itself is very new around the world and I would like to compliment him on the step forward that he has taken, because it takes some initiative to do so, as well on as the research that he has done on it to bring hope to families and sufferers.

**Mr. Leon Benoit:** Madam Speaker, the types of questions that would be put on this information portal would be for people to give

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testimony about what has happened to them. There would be about five or six categories. Most of the questions in my suggested list, which will change, have come from people who have had the procedure. To give credit, most of the questions have come from people from the Lloydminster group. By the way, Lloydminster is on the Alberta-Saskatchewan border and has the highest rate of MS in the world, so this initiative is very important to people in that area.

The categories are as follows. One is general information, such as gender, age and that type of thing. The second is on the facility itself, such as how people were treated and whether they were given a film of the procedure so they could take it to their doctors. The third would ask if they had seen a result and, if so, to describe it. That is probably the most important section. Another category is information on travel. For people in the advanced stages of MS, travel to another country can be extremely difficult. There are a number of questions for information on that aspect as well.

That is a very quick summary, but those are the types of questions that would be asked.

● (1750)

[Translation]

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Madam Speaker, I would like to congratulate my Conservative colleague for taking the initiative to move this motion for more information to be provided to those living with multiple sclerosis. We will support this motion.

This motion also gives us the opportunity to talk about multiple sclerosis and the impact this disease has on the lives of thousands of Canadians.

Canada is one of the countries most affected by this disease. In fact, it is estimated that between 55,000 and 75,000 Canadians have this disease. These people hope that science will eventually enable them to heal.

We know that multiple sclerosis is a disease of the central nervous system and that it attacks the myelin sheath, or cover, that protects cells in the central nervous system.

What does this mean for people who have this disease?

Many patients have vision problems, muscle stiffness, loss of balance, extreme fatigue and, on occasion, total paralysis. Some people have to use a wheelchair to get around. We know that there are still many barriers to mobility in our buildings, streets and homes. Some people have to renovate their homes, others have difficulty finding suitable housing, and still others must live in long-term care facilities. Daily life is not easy for those suffering from multiple sclerosis. The people who suffer from this illness know what I am talking about.

However, these people teach us life lessons. Most people who suffer from multiple sclerosis continue to work and lead an active life. Our society should recognize them and better integrate them.



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Take the example of Denis Baribeau from Montreal. As is the case for most people suffering from multiple sclerosis, the illness manifested itself early in his life. Mr. Baribeau discovered that he had multiple sclerosis when he was 26 years old. He had just finished university and was preparing to enter the job market.

It is a shock for us and our families to be told by a doctor that we will suffer from a chronic and incurable disease for the rest of our lives. When we lose our physical abilities, we lose them forever. Every flare-up leaves us a little less mobile and has lasting and disabling effects. It is difficult to accept this reality. And yet, people with this illness continue to fight, and to lead as normal a life as possible. Mr. Baribeau continues to work and also to raise our society's awareness about this illness.

However, it is difficult to remain active and have a good quality of life, especially for those who need drugs and cannot afford them. There are medications available that act mainly on the immune system. Some medications slow down the progression of impairment, whereas others help manage symptoms. However, the drugs are often expensive. It can sometimes cost up to \$30,000 a year for this treatment. It is beyond the reach of those without a drug insurance plan.

The purpose of the first part of my speech was to help members understand what it is like to live with multiple sclerosis and also to show the urgent need to find solutions.

For years, as the hon. member opposite mentioned, numerous researchers have put all their energy into finding a solution for this disease. One breakthrough that the scientific community feels is significant is chronic cerebrospinal venous insufficiency, or CCSVI. The term was coined by Dr. Paolo Zamboni, a researcher from the University of Ferrara in Italy. He observed that, in some patients with multiple sclerosis, veins in the neck and head are blocked or narrowed and therefore unable to efficiently remove blood from the brain and spinal cord. Phleboplasty was suggested as a potential treatment for patients. It consists of inserting a catheter into a blocked vein and inflating a balloon to dilate the vein. These treatment seems to have had results with certain patients, who said that they have regained some feeling and mobility.

A number of studies are taking place in Canada and elsewhere in the world to confirm the research results. The Multiple Sclerosis Society of Canada, in partnership with its American counterpart, is currently conducting studies.

In addition, the federal government has decided to fund phase I and II clinical trials on CCSVI. The goal is to determine whether there is a link between venous anomalies and multiple sclerosis. Researchers do not yet agree on the link between the CCSVI treatment and multiple sclerosis.

In fact, doctors and the scientific community do not yet have all of the data needed to understand CCSVI and to offer safe, effective treatment to patients. This lack of data means that CCSVI is not yet available in Canada.

• (1755)

Sometimes, patients travel abroad to get treatment without knowing if the method used is reliable and risk-free. The information available in Canada is limited and fragmented. Some studies show a

link between venous insufficiency and multiple sclerosis, while others reject that hypothesis.

So, a lot of information is missing and this prevents people from making informed decisions. Moreover, we do not know how many patients have received innovative treatments and how they have reacted to such treatments. Let us also not forget that research protocols, diagnostic procedures and treatments vary from country to country. This lack of national and international standards is a major impediment to the treatment of people suffering from multiple sclerosis.

Yet, it is critical that patients get all the information necessary to make informed decisions. After all, they are the ones who live with MS and they should be well informed. That is why the motion presented by the hon. member opposite is welcome, since it provides that these people should have access to more information. That is extremely useful to patients. Therefore, it is critical that the Conservative government work with scientists to get the most accurate information available for patients and their families.

I should point out that a database project is underway at the Public Health Agency of Canada. The agency is developing a new monitoring system to collect data on the condition of patients, on what is being done in terms of treatments, and on the findings of studies. We hope that this project will be developed quickly and will be based on scientific standards, in order to provide patients with the information they need. That should have been done a long time ago, considering that the treatment was made public in 2009.

I also remind the government of the importance of allowing the public to have access as quickly as possible to scientific data on venous insufficiency. In June, the federal government announced that it would fund clinical trials for phases I and II, but we still do not have any information on the research protocol, the timeframe, or the number of participants. It is also important to remind the government that all phases of the clinical trials must be completed in order to have reliable results. There are four phases and we are currently funding only the first two. We would like to have more details on these trials but, as we know, it is always difficult to get clear answers from this government.

I wish to stress how important it is to focus on the fight against multiple sclerosis. People who suffer from the disease, their families and Canadian society as a whole all have an interest in finding scientific answers to this disease. Let us show leadership. Canadian researchers have all the skills necessary to get results, and we are anxiously waiting for these results.

I thank the hon. member opposite for promoting better access to information. As long as scientists agree among themselves, we will support this motion.

[English]

**Hon. Hedy Fry (Vancouver Centre, Lib.):** Madam Speaker, as members know, about 75,000 Canadians are living with MS. This disease is characterized by episodes when people are stable and at other times acute episodes that cause them to lose more of their mobility and to become sicker. The point is that it can be a very long-term disease in that the ability for some people to have frequent episodic acute phases or not is an individual variant. There does not seem to be any way of telling who will have more episodes and who will not. People's knowledge that they are living with a disease that could come or go, could come more often or could leave them very immobile is like spinning the dice and not knowing which way it will come. That must be a huge problem for MS patients in that they must live with this uncertainty about what is going on.

As a result of that, I think we all know that when people are very ill with a chronic debilitating illness that does not have a set prognosis, that could come and go, that people will try whatever they need to try to get themselves better. That is human nature. That is something that I would do, I guess. If I had a problem, I would go looking to see whatever could help me to get better or to feel better and to be able to curtail as much as I could some of those acute episodes.

However, it is really important for us to ensure that we do not give patients false hope. Having said that, I am not hinting that CCSVI is a false hope. I am not saying that at all. I am saying that we want to ensure that we do not lead people to believe that this is a slam-dunk, that this will make a difference. This is why the Liberals last spring called for clinical trials on CCSVI. The government announced those trials in June, which I must congratulate the government for, as that was a quick turnaround and a quick response.

However, now we seem to be in limbo waiting for protocols and waiting for this to move forward. My colleague from the New Democratic Party made an important point. Will it only be phase one and two? What happens then? Does it mean that we lead people to some hope and then pull it out? I hope the government will commit to all the phases of a clinical trial because that would give us a very clear understanding about whether this procedure works, how long it lasts, what the disadvantages are and what the negative aspects of this are so we can be very clear, when we decide whether it works or does not work, that all the work has been done and that we do not leave people with false hope or to feel that interventions which could, in some instances, cause serious side effects, would. This is what clinical trials are about. We do not put anybody on a drug until we do the work on them, until we find out whether that drug is safe and what the risks are, et cetera. This is just simple evidence-based protocol for any kind of drug or intervention that is to be used on a patient. It is a good thing and we would like to see that.

While I do support some of the pieces in this motion, I must say that we called a lot of the MS patients from the groups across the country over the last few weeks and there was a mixed review on this motion. Some of the MS groups decided that they did not like it because it was status quo, that it was only repeating what is already happening. The CIHI is able to post this information. That is already happening. The government and the CIHI said that it would happen. The groups wanted to know what was new about that.

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The second piece of the motion is people working together across jurisdictions to link all researchers, academics, et cetera, to help people to understand the good aspects or negative aspects of CCSVI. However, nobody can really do that with any sense of certainty until the clinical trials are finished. So there is a sense that this is just treading water on this second one.

Those are the things that concerned me. A lot of people were concerned that this motion did not offer anything really new. I have to say that just putting information out there so it is easily accessible and people can find out what they want, look at case histories and look at what is going on, I hope that information will be based on looking at international work. In other words, are the people who go to Budapest for CCSVI intervention doing better than people who went to Thailand for the treatment? That is the kind of information I would hope we would see on this information module. I agree with it. I think information is good. I am just relaying to members what a big chunk of the community told us.

• (1800)

Another chunk of the community says that anything is better than nothing, that they are happy to see this happen and that it may not be a lot, but that it is a start.

I still do not know what I would do about the bill. There are some good aspects to it. As I said, we have talked with technical experts from across Canada.

What I would have liked to have seen in the bill is something that would assure us that if a patient goes abroad for CCSVI treatments, when they come back here and have side effects, or have negative problems associated with that treatment, that we do not turn them away. The hospitals and clinicians in this country should not say, "Sorry, you went abroad, took this upon yourself and therefore it is your problem". It is not reasonable or fair for us to leave Canadians in the lurch just because they were desperate to try something, anything, that would alleviate what is, in effect, a very terrible long-term disease. It would have been nice if we could have had some assurances that, under the Canada Health Act, anyone who has come back from a treatment who has side effects and needs help will get that help and will not be turned away.

We have heard stories of people who were turned away, who could not get into emergency, who were told that no one could see them because they brought the problem on themselves. That is a punitive attitude that I believe some provinces are already working on locally to ensure the colleges, et cetera will ensure that it is good medical practice to take care of a patient regardless of the reasons for their side effects and complications.

I understand the intent of the motion, with the evidence and so on, but I do not understand part (c), which talks about collaboration with two advisory groups. I am not clear who those two advisory groups are. I am not clear if they currently exist or if the mover of the motion is suggesting that there should be two advisory groups. I do not know what that really means. It would have been nice if we could have had some sort of clarification on that.



*Private Members' Business*

I have some concerns that the government is directing the Canadian Institute for Health Information, not to do something but exactly what it should do. I think we need to keep arm's-length scientific bodies doing arm's-length scientific things based on evidence and good information. The CIHI should decide what information should go on there based on evidence and evidence alone, not just on hopes, dreams and wishes. Therefore, I have a little concern that this may actually be too directional for the CIHI.

However, as I said before, I would have liked to have seen some other things in this motion with regard to health care for CCSVI patients across the country.

I have another question, which was asked by many of the groups that I talked to. Will this motion interfere with the work that is already being done, such as the CIHI clinical trials? I do not see that it would but that was a question that I was asked. I wonder if at the next reading of this motion the member could actually explain that a little bit, if he feels that it would interfere with the CIHI trials. I do not think it will.

Those are good questions and concerns that need to be addressed because, if what we are talking about here is informing patients, this is something on which they want to be informed. We either listen to the questions they ask us and then try to answer them or we say that we do not like the question, that it is a stupid one. It was a real question that I was asked by many groups that I talked to.

I would like to see the trials go on expeditiously. I know we are waiting for CIHI to come up with its protocols and that takes time, but I also want to ensure that we get out of this motion that all four clinical trials will be done. The question then is: What will happen and when? If we decide that this is an evidence-based intervention that works for some people and not for others, we need to know who are the people they work for, what exactly are the incidents of those people who might get some relief from it, et cetera. We also need to know if the relief is long-term, short-term or temporary.

As we well know, with a lot of diseases that are typified by this sort of wave pattern where it is bad and then the patient gets better and then it is bad again and then they get better, sometimes if they get a treatment at the time when they are stable it may seem like the treatment caused them to be stable, which may or may not be true. Again, that is just another reason that we need to do clinical trials.

I hope the member will hear my questions that I am asking on behalf of some MS patients. I think information is good but I think that information needs to be valid, clear and evidence based. If there is anything I need to suggest, it is that.

I thank the member for bringing forward the motion.

• (1805)

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Madam Speaker, it is with pleasure that I rise today to speak to private member's Motion No. 274, put forward by our colleague, the hon. member for Vegreville—Wainwright.

As I speak, I cannot help but think of my friends, my neighbours and my patients back in Oshawa who are living with this devastating disease. I would like to dedicate my remarks to my friend, Clark Caskey, who recently passed away, and his wonderful wife, Linda.

The motion calls upon the Government of Canada to ensure patients with multiple sclerosis, their families and caregivers have access to the information they need in order to make informed decisions in the management of their condition.

For my part today, I would like to talk about what we know, provide some of the context surrounding these issues in Canada, and discuss two recent major initiatives that complement this motion. I would first like to tell members what we know about multiple sclerosis, or MS.

MS is often a disabling disease of the central nervous system which may affect vision, hearing, memory, balance, and mobility. Canada has among the highest rates of MS in the world. MS often strikes young adults, with women three times more likely to be diagnosed with MS than men. The effects of MS are not only felt by those living with the disease, it also impacts their family and friends and the community at large, both emotionally and financially, often for a lifetime.

In 2009, Dr. Paolo Zamboni, an Italian surgeon, suggested that vein blockage is a main cause of MS, a condition he labelled as chronic cerebrospinal venous insufficiency, or CCSVI. He suggested that opening up blocked veins in the necks of multiple sclerosis patients would relieve the patients' symptoms, a treatment commonly called the Zamboni or CCSVI procedure. Experts tell us that more research is needed on the safety and efficacy of the CCSVI procedure before it can be offered in Canada.

Motion No. 274 asks the government to support people with MS so they can make informed decisions about their condition. This includes information on the potential link between CCSVI and MS. The motion seeks to ensure that the recently announced Canadian MS monitoring system contains specific and useful information on the risks and benefits relative to undergoing surgical treatment for CCSVI. What is important here is that this information on risks and benefits be accessible to MS patients.

We know that people with MS need good information to make best choices about their health. Accurate information is critical in weighing the benefits and the risks of treatment options. Over the past year, we have developed two major new initiatives, in collaboration with key stakeholders, which align with the spirit of Motion No. 274. First, we announced the development of the Canadian multiple sclerosis monitoring system. Second, we recently announced the establishment of a phase I and phase II clinical trial to study the safety and efficacy of the CCSVI procedure. Today, I would like to speak to both initiatives in the context of the motion before us today.

On March 23, 2011, the Government of Canada announced the funding and development of a new national multiple sclerosis monitoring system devoted to monitoring the health of those diagnosed with multiple sclerosis. Through the new monitoring system, we aim to improve our understanding of the disease and its treatments. We will assemble a national information system so that persons with multiple sclerosis and their caregivers can learn from the national experience with multiple sclerosis. Information on treatments, side effects, quality of life, progression of the disease, health status and much more will come from the monitoring system. It will be a relevant, important, coherent and collaborative national resource. The system will help fill gaps of information so that patients and doctors have the information they need to better understand this disease in order to make informed health choices. The monitoring system is being developed by the Canadian Institute for Health Information, in close collaboration with provinces and territories, the Canadian Network of Multiple Sclerosis Clinics and the Multiple Sclerosis Society of Canada.

This system will collect information on a voluntary basis from all MS patients attending participating MS clinics, including those who have had the CCSVI procedure. Through all we do, the perspectives of Canadians living with MS is crucial to informing our activities, policies and our research. For this reason, the monitoring system is being built with the input and advice of multiple sclerosis patients and their doctors, which will help ensure its relevance for those living with this devastating disease.

● (1810)

Information from the MS monitoring system will be available to patients through regular reports on a variety of topics. This is particularly important for MS patients and their health care providers. For the first time from a national perspective, they will be able to use this information to consider potential treatment options.

Working closely with the Multiple Sclerosis Society of Canada in the development of the monitoring system is essential, as it is the only national voluntary organization in Canada that supports both multiple sclerosis research and services for people with multiple sclerosis and their families. The MS Society of Canada represents patient priorities and interests. Its collaboration will ensure that information from the MS monitoring system is relevant to the needs of patients, families and caregivers. The MS Society also plays a key role in outreach to patients to provide them with this information and seek their feedback.

All of these efforts will help to ensure that the MS monitoring system remains relevant by providing the information MS patients and their doctors need for making decisions about treatment options.

In the spirit of the motion, the second initiative is the recent announcement to establish a pan-Canadian phase I and phase II clinical trial to study the safety and efficacy of the CCSVI procedure.

The Canadian Institutes of Health Research, CIHR, is leading this federal initiative and will implement a rigorous and international peer reviewed competition to select the team of researchers that will conduct this important research.

#### *Private Members' Business*

Through phase I, we will be able to evaluate the safety of the CCSVI procedure. In phase II, we will assess the efficacy of the CCSVI procedure in the treatment of multiple sclerosis.

Through this clinical trial, new and timely information will be available and shared with patients and their doctors through health professional organizations, such as the College of Family Physicians of Canada, the Canadian Medical Association and the Royal College of Physicians and Surgeons.

Aligning with this motion, Canadians living with multiple sclerosis, medical researchers and the MS Society of Canada are well represented on the advisory boards of both initiatives. Our government recognizes that MS patients are at the centre of this issue and established both advisory boards with this in mind.

The Canadian multiple sclerosis monitoring system advisory board will ensure that MS patients' perspectives are reflected in the development of this very important system.

The advisory board for the development of the phase I and phase II clinical trial of the CCSVI procedure includes researchers who are treating people with multiple sclerosis and who can bring patients' concerns to the table.

As I have emphasized today, collaboration is key to working on such a complex disease as multiple sclerosis. No one organization is alone in this fight. That is why we are working closely with the provincial and territorial governments, medical associations and the MS Society of Canada. This collective effort will help to ensure that people living with MS and their caregivers get the support and advice that they need.

Many of us have family members and friends who have MS. We see the strength and determination that they possess, and we are inspired by their spirit. As a chiropractor working in Oshawa over the years, I have had the privilege to treat patients with this debilitating disease and I have seen first-hand how it affects their families.

Our government recognizes the challenges faced by the thousands of Canadians who have MS and the toll it takes on them, their families and friends. It is vital that multiple sclerosis patients, their families, doctors and caregivers have access to information to make informed decisions in the management of multiple sclerosis.

I have appreciated the opportunity to speak to this important issue. I thank the member for Vegreville—Wainwright for introducing this important motion. I thank all members in the House this evening for their worthwhile participation in the debate. We look forward to moving this very important motion forward.



*Private Members' Business*

• (1815)

[Translation]

**Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP):** Madam Speaker, multiple sclerosis is a very complex, unpredictable disease that often disables those who suffer from it. The chance of being diagnosed with multiple sclerosis in Canada is among the highest in the world. Women are three times as likely to get multiple sclerosis as men. This disease is most often diagnosed in young adults between 15 and 40.

Multiple sclerosis affects 2.5 million people around the world. Studies show that the further away from the equator, the greater the incidence of the disease and Canada is no exception. Between 55,000 and 75,000 people have this disease in Canada, and more than 1,000 new cases are diagnosed every year, or three new cases a day.

Multiple sclerosis is the most common neurological disease affecting young adults in Canada. This disease also affects children, some as young as three years old. The impact of the disease is felt by everyone around the person suffering from it. The effects of MS are unpredictable and vary greatly from one person to the next. Between 80% and 85% of people with MS are diagnosed with the relapsing remitting form of the disease. Over time, from 50% to 70% of people originally diagnosed with relapsing remitting MS will worsen into secondary progressive MS, and will gradually become more disabled.

This disease affects vision, hearing, memory, balance and mobility. In addition, this disease has physical, emotional and financial effects that are life-long, which considerably impairs the quality of life of MS patients. Unfortunately, there is no cure for this disease; only treatments to alleviate the symptoms. However, in his studies, Dr. Zamboni apparently established a link to chronic cerebrospinal venous insufficiency. CCSVI is an anomaly caused by the narrowing of the veins that drain oxygen-depleted blood from the brain and the spinal cord. The theory behind the link between CCSVI and multiple sclerosis is that poor drainage of the oxygen-depleted blood could cause a back-flow to the brain, which would lead to a lack of oxygen in the brain and deposits of iron in the tissue. That would trigger an immune response associated with multiple sclerosis.

There is not enough evidence to conclude that CCSVI is the cause of multiple sclerosis. It is only possible to indicate that in some people multiple sclerosis may occur in association with impaired venous drainage of the central nervous system. For now, the data published about venous anomalies that could play a role in the occurrence or spreading of multiple sclerosis are contradictory. It is a subject that requires a clinical study.

The goal of the clinical study will be to determine if MS patients show venous abnormalities that differ from age-matched controls. The goal will therefore be to define, based on conclusive evidence, mechanisms of how venous drainage from the brain might be of relevance to MS, an issue that has not yet been adequately explored. Clinical studies are usually conducted on human subjects. Given the complexity of a research protocol, we need to ensure that it is as rigorous as possible, so as not to skew the results, but above all, in order to protect the health of patients and participants. We

understand the importance of this issue for people who are suffering from MS.

However, we must be very careful in order to ensure the safety of everyone participating in the clinical trials. As a result, we need to establish the protocol in a responsible manner as soon as possible, but without compromising patient safety. The research protocol must ensure that the financial resources needed to conduct the study are available and must seek out new collaborations with various experts. This will require significant collaboration among researchers. These experts and researchers must come not only from the field of medical research, but also from organizations such as the Multiple Sclerosis Society of Canada.

Furthermore, we must not forget the important role of the provinces and territories. We must establish the number of patients to recruit, the frequency of consultations and imaging tests, the kinds of data to record, as well as detailed procedures for each phase of the study. This stage will ensure that all participants will be subjected to the same protocol, in an effort to strengthen the results of the research.

• (1820)

It is also important that a monitoring committee be established to oversee the study's progress and to react to any problems that could arise in terms of research or safety. The study should also recruit and select participants and obtain their consent to participate in the study. It is important to conduct a truly randomized trial to ensure that the results are well founded and to clearly establish what link exists between CCSVI and multiple sclerosis. It is important to share the results of the clinical study so as to not spread false hope among those with this terrible disease. It should be noted, as was specified in a number of studies, that each person reacts differently to Dr. Zamboni's treatment.

It is essential for doctors and other intervenors in the medical field, as well as for the patients, that information be shared about the impact and the link between CCSVI and multiple sclerosis. Many patients feel isolated because of the lack of understanding about this disease. These people feel overwhelmed by desolation, despair, lack of understanding, guilt and shame. For some, the suffering leads them to isolate themselves and they refuse to go out for fear of what people, in their ignorance, may say.

It is a vicious cycle that results in them more and more often finding refuge in their solitude. In many cases, patients feel misunderstood by doctors who apply their knowledge without always taking into consideration the strong emotions that people living with this disease face. Patients must live alone with their body, day in and day out, and that body no longer responds. They have to live with a physical and nervous fatigue that only increases with time. In many cases, once they build up some trust, patients feel less scorned by health professionals.

Thus, it is crucial that we have clear information on the link, impact and side effects in order to be able to make an informed decision concerning patient treatment. It is important that doctors and patients co-operate fully with one another. It will also be important to update the databases of the multiple sclerosis monitoring system regularly. This system will help monitor outcomes and identify the most effective therapies. It will also help health system planners identify future needs and plan resource distribution more effectively through the system administrator.

In order to help achieve medical breakthroughs in relation to MS, it is essential that the federal, provincial and territorial governments come together, particularly in order to make the necessary decisions regarding treatment and medical services. Knowing that health care and public health coverage differ from one province to the next, it is crucial to ensure participation among all levels of government. Co-operation is needed not only among governments, but also among the other organizations and professional health associations, and the people who have this degenerative disease, namely, the patients.

Multiple sclerosis is a ongoing battle for those suffering from this disease. They count on medical advances to help cure their suffering. For that reason, it is of the utmost importance to begin the clinical trials as soon as possible, but in a responsible manner. Serious and vigorous protocol will be needed to ensure the safety of those participating in the trial. The final results of the clinical trial must show a clear and precise link between CCSVI and MS, and the advantages and disadvantages of the treatment. As a result, an overall picture will help patients to make the best decision possible regarding their treatment.

These results will also have to be compiled in the monitoring system so that they can be consulted by people with MS and shared with other countries so that true medical advances can be made in the treatment of this disease. There are all kinds of partners, and they must be consulted. They include patients, doctors, researchers, health care stakeholders and the provinces. The provinces and territories provide the care and pay for treatments.

• (1825)

[English]

**The Deputy Speaker:** The hon. member for Mississauga East—Cooksville can begin his comments. He will only have about two minutes before the end of private members' business. He may begin his introductory comments.

**Mr. Wladyslaw Lizon (Mississauga East—Cooksville, CPC):** Madam Speaker, I will do what I can in two minutes.

I am thankful for the opportunity to speak on this very important issue that affects so many Canadians and their families, and I thank the member for Vegreville—Wainwright for introducing this important motion, Motion No. 274.

I am standing here as the elected member of Parliament for Mississauga East—Cooksville. One of the reasons I wanted to speak to this motion is because the member who previously represented my riding, Albina Guarnieri, suffers from multiple sclerosis. I spoke to her and this is what she said to me, "MS patients suffer from a lack of access to care, information and hope. Government can help connect researchers to speed results and connect patients to the care options they need".

### *Adjournment Proceedings*

I thank Albina for her brave words and service to this country, and I wish her well. I believe that many members on both sides of the House have known Albina for years and we all wish her well.

• (1830)

**The Deputy Speaker:** I must interrupt the hon. member and mention that when this motion returns for debate, he will have eight minutes left for his comments.

The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

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## ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[English]

### POST-SECONDARY EDUCATION

**Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP):** Madam Speaker, I would like to thank the parliamentary secretary for taking the time to be here tonight. We are here tonight to discuss the topic of the Canada student loans program and student debt.

On October 7 the Canadian student loans actuarial report was tabled in the House. The report showed that the Canadian government will breach the legal limit for student loans of \$15 billion by January 2013. This report stated that there were many reasons for this, with the main reason being that Canadians simply are not repaying their loans at the estimated rate. Considering the current economic climate and the recent recession, this is not surprising. We also know that quality job opportunities for our graduates are few and far between.

A recent report showed that a whopping one in five Canadian graduates are employed in positions that pay at the lower end of the income scale. This means that 20% of our university graduates are earning an income of less than the national median of \$37,000. This income is not very much and too many of our Canadian new graduates are living below the poverty line.

Given this and the fact that Canada has the highest proportion of poor university graduates of any OECD country, it is not surprising that people are having trouble paying back their student loans. The breach of our student loan limit is extremely worrisome.

I asked a question on this topic on October 17. Unfortunately, when I asked the question, the members opposite did not rise and talk about what they were doing to ensure that this limit was not breached. Instead, they stood and spoke about tax credits. I am not sure how tax credits are going to help in this situation. How are tax credits going to help the Canadian government from breaching its Canada student loans ceiling? How are tax credits going to help Canadians repay their student loans?



*Adjournment Proceedings*

My riding has one of the lowest average household incomes in the GTA, yet many of the families that live there are spending their life savings or incurring extreme amounts of debt to send their children to school. On average, Canadian students are graduating with a debt load of over \$25,000 and tuition fees are still rising at four times the rate of inflation. Getting a degree is not getting any cheaper and now these graduates do not have good jobs to look forward to, to help them pay back their student loans.

The facts are clear. Costs of post-secondary education are rising and there are low job prospects for students upon graduation. This current system is simply unsustainable. If the government is as serious as it says it is about securing Canada's economic future, it would make a real commitment to investing in education. If it were really concerned about Canada's economic recovery, it would realize that investing in education of all Canadians has a huge return on its investment. Yet, in the height of the recession, the government did nothing to ease the burden of student debt.

According to public accounts and supplementary estimates, during the fiscal years of 2008-09 and 2009-10, not a single penny was spent on wiping out Canada's student loans debt. This is unique to those years. I find it very interesting that during the years when people were having the most difficult time paying back their student debt, the government decided that it would not spend a single penny to wipe out some of that debt.

We need real action to tackle student debt. We need to make post-secondary education more accessible and more affordable to all Canadians. We need accountability in terms of post-secondary education spending.

I will ask my question again. When will the government take real action to address the looming Canada student loans crisis? When will it reduce the cost of post-secondary education, thereby making it more accessible and affordable for all Canadians?

• (1835)

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Madam Speaker, I thank the House for the opportunity to address the concerns of the member for Scarborough—Rouge River on Canada student loans.

Rest assured our government is closely monitoring the student loan portfolio. Students will receive the financial assistance to which they are entitled.

[Translation]

Our government is fully aware of the vital role of post-secondary graduates in our economic recovery and prosperity.

[English]

We are taking steps to address concerns that the student loan portfolio limit could be surpassed in future years.

The government has recently introduced in Parliament the keeping Canada's economy and jobs growing act that proposes to amend the Canada Student Financial Assistance Act. We want to transfer the authority to establish a limit on the amount of outstanding student loans from legislation to regulations. This will provide the

government with the flexibility to respond quickly to growth in the loan portfolio.

It should be underlined that the policies of post-secondary education institutions, including the establishment of tuition levels, fall under provincial and territorial jurisdiction. We support the provincial and territorial governments through block funding for post-secondary education under the Canada social transfer. This ensures that provinces and territories have the flexibility to invest funding according to their needs and priorities. This reflects a long history of Canadian governments working together on shared national priorities. It recognizes that in the areas of provincial jurisdiction, the provincial and territorial governments are best placed to deliver these services and to be accountable for their outcomes.

Already we are seeing shortages in qualified workers in our labour market. We have to give today's students the tools to succeed in the world of tomorrow. By tools I mean access to education, but also the financial supports they need to pursue higher education. Numerous supports are available to help Canadians financially for their post-secondary.

In the 2009-10 school year, the Canada student loans program provided nearly \$2.7 billion in loans and grants to more than 400,000 Canadian students. This included \$593 million in Canada student grants received by 295,000 Canadian students. Grants made post-secondary education more affordable, particularly for under-represented groups, including students from low and middle-class income families, part-time students, students with permanent disabilities and students with dependents.

[Translation]

More Canadians than ever before are applying for loans to pursue their post-secondary education. This proves that Canadians continue to believe that education is a worthwhile investment.

[English]

The Government of Canada is mindful of concerns about rising student debt and remains committed to helping students access affordable and complete their post-secondary education with a loan that they can reasonably afford to repay.

For borrowers who face repayment difficulties, the government introduced in budget 2008, under the Canada student loans program, the repayment assistance plan. Borrowers are now required to pay back what they can reasonably afford based on their family income and family size.

In 2009-10 approximately 160,000 student loan borrowers who had difficulty repaying their loans benefited from the repayment assistance plan. The plan, along with other methods undertaken by HRSDC to prevent default, has led to an historic low in loan default rates, which currently sits at just under 15%.

Post-secondary education has never been more important than it is today and our government recognizes this importance.

*Adjournment Proceedings*

**Ms. Rathika Sitsabaiesan:** Madam Speaker, with the cost of post-secondary education being what it is, we are seeing an increasing gap in accessibility and enrolment in post-secondary education programs between the haves and the have-nots in the country.

The Campaign 2000 Report Card released yesterday stated that only 58.5% of 18 to 24 year olds with a before tax family income of \$25,000 or less enrolled in post-secondary education compared to 81% of those with a family income of more than \$100,000. What is the government doing to address this glaring gap? We need to take action on this right now. We need real concrete action to stop us from ever getting close to that limit.

On this side of the House, we are fighting for accountable post-secondary education funding through the creation of a separate post-secondary education transfer payment. We are calling upon the government to make substantial investments into the Canada student grants program. We are calling for fair and equitable post-secondary education that is truly accessible to all Canadians.

When will the government wake up and realize that having an educated population is truly the way to ensure economic success?

• (1840)

**Ms. Kellie Leitch:** Madam Speaker, our government is concerned about ensuring students have access to post-secondary education, whether it be college or university. That is why we introduced initiatives such as the apprentice incentive grant and the completion grant.

Our government has also introduced the Canada student grants program that is helping over 190,000 students more than the previous Liberal plan. That is why we have made scholarships and bursaries tax free and made improvements to the registered education savings plan.

Sadly, the NDP has a shameful record of voting against every one of these efforts to help students.

Our government remains committed to helping students complete their post-secondary education and realize their dreams and potential.

LIBYA

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Madam Speaker, this arises from a question on October 21. To be candid, it is a bit stale-dated because events have overtaken the question, which was whether the Minister of Foreign Affairs was concerned with the manner of the death of Colonel Gadhafi, particularly the extrajudicial killing and egregious breach of the rule of law.

The Minister of Foreign Affairs answered in his usual offhand fashion and said that he identified with the people of Libya and was not overly fussed about the manner of the death. Frankly, I did not think too much about it at the time. I have very low expectations of the Minister of Foreign Affairs. He never fails to disappoint me.

I left the chamber at the end of question period and, to my great surprise, was involved in a scrum with a number of reporters, all of whom were very concerned. The thrust of their questions related to their concern for the rule of law. They presumed that I also was

concerned and wanted to know what the answer was that I had received.

I told them that I did not have high expectations of the minister, so I could not say that I was overly surprised but was disappointed that the Minister of Foreign Affairs, in the situation such as he was in, chose not to emphasize the importance of the rule of law and that the manner of Colonel Gadhafi's death was critical to the success of the mission.

The Minister of Foreign Affairs then spent the balance of the weekend going on various talk shows saying that he too believed in the rule of law, which of course was comforting.

It is somewhat ironic that we are dealing with this on the day when General Bouchard is being honoured. Certainly, he did us all proud. He certainly put the precision in "precision bombing". Having met him, I find him to be an admirable man in every way. Ironically, the care with which he set out the bombing runs speaks to his understanding and knowledge of the rule of law.

One of the reasons that we got so little push back on the bombing issue had to do with the way in which General Bouchard appreciated the issues around the rule of law. The irony is the minister having less appreciation for the rule of law than General Bouchard.

We are now at the point where the hard work begins. We have absolutely superb representation in the embassy. I have nothing but admiration for our ambassador and her staff. One of the things that informed us, as we were critiquing the government's execution of the Libyan mission, was the Libyan diaspora. The Libyan diaspora has seen how the rule of law operates in this country and it is a wonderful asset to exploit as we move forward and try to help the Libyan people develop institutions where there may well be an opportunity for the rule of law to flourish.

In conclusion, I was somewhat disappointed but not surprised by the minister's answer. I think he, on reflection, might regret it.

• (1845)

**Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC):** Madam Speaker, I am sure the member opposite, as well as everybody else in the House, will join with me in paying tribute to the Canadian Forces personnel. Under the leadership of General Charles Bouchard, they played a massive role in protecting Libyan civilians from the brutal Gadhafi regime.

Today in Parliament the Governor General, the Prime Minister, the Minister of National Defence and every member of Parliament were very proud to congratulate the excellent work done by the Canadian Forces in Libya.

The end of the Gadhafi era turns the page on over 40 years of tyranny and oppression in Libya and opens a new chapter in Libya's history. Libyans themselves have shown great courage and sacrifice in their fight for freedom.



*Adjournment Proceedings*

The member's question was on the rule of law and the concerns over not following it. Let me just say that Canada is willing to help the NTC. The Libyan authorities have developed a draft constitutional charter for the establishment of a functional democratic government that guarantees and respects human rights and the rule of law. It contains an ambitious road map for a permanent constitution and subsequent election of a new government. In this regard, our government welcomes the announcement of a new interim cabinet, one that is highly representative of the various regions of Libya.

We wish the new Libya every success in addressing the numerous challenges facing the country in the transition period, building national reconciliation and public security and ensuring the protection of human rights for all Libyans.

Among these challenges, there is the need for the interim government to promote national identity and reconciliation among the Libyan people. It is therefore important for Libya to take the right approach to a fair and transparent judicial process in dealing with the recently captured son of Gadhafi, Saif al-Islam, and his brother-in-law, Abdullah al-Senussi.

The Libyan authorities were quick to react after Gadhafi's death in creating a commission of inquiry to investigate the circumstances surrounding his death. Bringing lasting peace to the people of Libya requires that those responsible for serious crimes be held to account by facing a fair trial.

Canada will continue to support Libya in the post-Gadhafi era as it takes steps towards freedom, democracy, human rights and the rule of law for all Libyans.

**Hon. John McKay:** Madam Speaker, as I said in my initial remarks, I was greatly privileged to sit in the chamber this morning and join in the recognition honouring of General Bouchard. It was absolutely an appropriate honorific. However, I did have some concern that it was inappropriately used by the Prime Minister and

the Minister of Defence for Conservative propaganda purposes and arguments about procurement. However, that is a sidebar issue.

Indeed the Canadian Forces do have an appreciation of the rule of law. I am absolutely impressed by the senior people in the Canadian Forces and I know that General Bouchard has this appreciation for the rule of law. I know that our embassy and the ambassador have an appreciation for the rule of law. What concerns me is that the minister and possibly the government he represents have no such similar appreciation and therefore were not overly concerned about the manner of Colonel Gadhafi's death.

Going forward, I hope that the minister does in fact encourage the Libyan government to execute a fair trial with respect to the son of Colonel Gadhafi.

**Mr. Deepak Obhrai:** Madam Speaker, in my earlier response I did mention quite clearly that it is important for Libya to take the right approach through a fair and transparent judicial process in dealing with the recently captured son of Gadhafi, Saif al-Islam, and his brother-in-law, Abdullah al-Senussi.

Again, the Libyan authorities were quick to react after Gadhafi's death and have created a commission of inquiry. It is extremely important, and the member would agree, that those responsible for serious crimes be held to account by facing a fair trial.

In closing, Canada was very pleased to serve in Libya and to help the Libyan people. We now look forward to the transition in the post-Gadhafi era in Libya.

● (1850)

[Translation]

**The Deputy Speaker:** The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 6:50 p.m.)







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HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA



# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

Friday, November 25, 2011

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Speaker: The Honourable Andrew Scheer



## CONTENTS

(Table of Contents appears at back of this issue.)

# HOUSE OF COMMONS

Friday, November 25, 2011

The House met at 10 a.m.

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*Prayers*

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## GOVERNMENT ORDERS

• (1005)

[English]

### BUSINESS OF SUPPLY

OPPOSITION MOTION—CLOSURE AND TIME ALLOCATION

**Mr. Joe Comartin (Windsor—Tecumseh, NDP)** moved:

That, in the opinion of the House, the thorough examination and debate of proposed legislation on behalf of Canadians is an essential duty of Members of Parliament, and that the curtailment of such debate limits the ability of Members to carry out this duty and constitutes an affront to Canadian democracy; and, therefore,

that the Speaker undertake a study and make recommendations to amend the Standing Orders with respect to closure and time allocation, such that: (i) a Minister would be required to provide justification for the request for such a curtailment of debate; (ii) the Speaker would be required to refuse such a request in the interest of protecting the duty of Members to examine legislation thoroughly, unless the government's justification sufficiently outweighs the said duty; (iii) criteria would be set out for assessing the government's justification, which would provide the Speaker with the basis for a decision to allow for the curtailment of debate;

that the Speaker report to the House no later than February 6, 2012;

that a motion to concur in the said report may be moved during Routine Proceedings, and that only when no Member rises to debate the motion, the Speaker shall interrupt any proceedings then before the House and put forthwith and successively, without further debate or amendment, every question necessary to dispose of the motion; and

if no motion to concur in the report has been previously moved and disposed of on the 20th sitting day following the presentation of the report, Standing Orders 57 and 78 shall be deemed to have been deleted.

He said: Mr. Speaker, this motion has been brought before the House at this time because of the government's gross overuse of shutting down debate in the House, whether it is by a formal closure motion, which shuts down debate immediately, or by time allocation motions, which provide extremely limited time for debate on crucial issues facing both the House and the country more generally.

It is important that we recognize the effect of the motion. It is not that you, Mr. Speaker, need a greater workload, but that is the thrust of the motion. The motion would remove a government's unilateral ability to shut down debate in the House and would allow the Speaker, as an independent officer of Parliament, to make the decision as to when it is appropriate to curtail debate and when it is

an abuse of the process. Therefore, a request for curtailment of debate could in fact be rejected by the Speaker of the day.

I have done some analysis of other jurisdictions that have similar parliaments to ours, such as the United Kingdom, New Zealand and Australia. Going back some 20 or 30 years, all of them moved to provide greater authority to the speaker to regulate when debate should be curtailed, limited or ended. In each of those parliaments, it is quite clear that it is the speaker who ultimately makes the decision in that regard.

The authority is different in each of those legislatures but the general wording and conduct of the speaker has always been: Is the request for curtailment or ending debate an abuse? Oftentimes the term "of a minority segment of that parliament" is used. It may be a large official opposition or it may be a small third, fourth or fifth party, but the speaker has the authority in each one of those parliaments to make the determination as to whether the request by the government to end or limit debate is an abuse of the rights of the members of Parliament.

I will move on to the context in which this motion is being put forward.

In less than two months of sitting days, we have had time allocation applied to Bill C-13, the budget bill, which was 640 pages long. We were given extremely limited time to debate it. It is the only time, that we have been able to determine, in the history of this country that such a limited amount of time has been given to a budget bill. I know the government House leader said that we had some debate on this in the previous Parliament. However, we have 100 new members of Parliament who were not here and had no opportunity to debate this in the last Parliament.

It is fundamental to our process that a budget bill be given a full extensive debate. We can go back to any number of the authorities where that is repeated over and over again, and not just in this legislature, but in every legislature that works off the Westminster model.

We then had Bill C-18 dealing with the Canadian Wheat Board. This is an institution that is well over 70 years of age. It is iconic in this country. However, on two occasions, at second reading and report stage, we were again slapped with time allocation.



*Business of Supply*

● (1010)

The Wheat Board and the farmers in western Canada were entitled to that debate. The opposition should have been given time in both the House and in committee to deal with that issue. We were given extremely limited time given the significance of what was going to happen if the bill passed, especially when the majority of farmers in western Canada, who use the Wheat Board to sell their wheat, oppose the bill. However, again we were slapped with time allocation on two occasions.

Bill C-10, the omnibus crime bill, is made up of nine former bills brought together. Again the House leader said that we had time to debate this legislation. More than 100 new members did not have time to debate this extremely complex bill because they were not here in the last Parliament.

The Conservatives have accused the opposition of delaying this legislation. On more than one occasion, the NDP has offered to take the part of the bill that deals with crimes against children, sexual predator type crimes, and run it through at all stages. It already passed through the House once before, so we were quite comfortable in having that done. On the more than one occasion that we offered that to the government, it refused and then slapped time allocation on the balance of the bill.

It was the same thing with Bill C-19, the gun control bill. We were given extremely limited time to debate an issue that is topical and very controversial. As the debate has gone on, more and more evidence has come out around reasons to not do away with the long gun registry. There was no opportunity to debate that legislation in the House to any significant degree.

Finally, Bill C-20, the seats bill. The bill proposes to make significant changes to the composition of this Parliament and again we are being limited to a significant degree in our ability to deal with it. I sit on the committee that is looking at the bill and the same thing is happening there. Extreme limitations are being placed at committee with regard to the number of witnesses we are allowed to call.

It just boggles my mind when I try to understand what is going on, and I think I am reasonably intelligent in terms of understanding it. It is a complex process that is being engendered now and it is new. It is not what was here in the last Parliament at all. The bill is a new incarnation of the process. It would make a very significant change and we are being given nowhere near the amount of time that we will need.

If we continue with the practice as it is right now, Bill C-20 will be out of committee and back before the House either by the end of next week or early the week following, when we have limited time to debate it here in the House and limited time in committee. The same can be said about the other four bills that I just mentioned. They all have had limited time in committee.

That is the context that we have. We have a precedent, if we want to put it that way, in other legislatures.

Mr. Speaker, I will be sharing my time with the member for Louis-Saint-Laurent.

As I said earlier, we have this other precedent. If the bill passes, it will mean more work for the Speaker of this Parliament and subsequent Speakers. However, we need to find a much more proper balance in terms of our ability as opposition members to do our job. Our responsibility here is to determine whether legislation coming from the government is appropriate but we are not able to do that in the amount of time that we are being given at this point. We need to take the government's ability to limit time and place it in the hands of an independent member and, in this case, that would be the Speaker and his successors.

● (1015)

**Mr. Garry Breitkreuz (Yorkton—Melville, CPC):** Mr. Speaker, I would like to ask the member a very simple question. How many bills have been debated this fall and have received royal assent? He is looking upward, so I will give him the answer. None.

We were elected to get some things done. The opposition has done its level best to prevent the government from passing legislation this entire fall session. We are almost at the end of this session and it is unconscionable that this Parliament has not been able to do its work.

The bills that are before us have been debated ad nauseam. The people who watch Parliament must be wondering what is going on. I will tell them that we have not debated one bill that has received royal assent this fall.

What does the member have to say about that?

**Mr. Joe Comartin:** Actually, Mr. Speaker, if we take this session, the bills that have moved through this House rapidly have been as a result of the initiative that came from this side of the House. With the mega trials bill, as the justice critic for my party, we put before the House that in fact we should run that through.

By the way, the member is not correct, that bill has in fact had royal assent. It is in place at this point, but it was the result of the initiative from this side of the House.

**Mr. Garry Breitkreuz:** Not this fall.

**Mr. Joe Comartin:** He is playing, Mr. Speaker, it is not this fall, but it is in this session of Parliament.

Well, let us go with another one. Just last week, or earlier this week, we agreed to go through all stages of Bill C-16, which deals with the judiciary within the military. Again, that was in part an initiative that came from us, at the request of the government initially.

There in fact progress has been made. To finish, the question really is, how rapidly do we run important bills through the House? It is way too fast.

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, I thank the member for Windsor—Tecumseh for his, as usual, insightful remarks.

*Business of Supply**[Translation]*

I certainly share the member's concern with respect to the rate at which bills are being jammed through the House and how debate is being limited, especially at committee. The member would be well aware that the omnibus crime bill, before the justice committee, was initially subjected to a five minutes per clause examination until basically the opposition parties kicked back and negotiated a lengthier time period for that.

I wish to draw the member's attention to something that was said in debate June 10, 2002. This was after 10 days of debate on Bill C-2, the species at risk act. The former member for Skeena said:

Mr. Speaker, the government should be ashamed of itself. How dare it rule the country with such an iron fist? The species at risk act is a major piece of legislation... This is the third attempt and it still does not have it right. The government just invoked time allocation which would seriously restrict debate. It does not care to listen to the concerns of Canadians—

**The Speaker:** Order, please. I am going to have to stop the member there to give the member for Windsor—Tecomseh enough time to respond.

**Mr. Joe Comartin:** Mr. Speaker, it is a good question with regard to that particular bill because it was its third incarnation. I used to be on the environment committee, so I was involved in that. I remember Jay Hill, who was the member he is referring to, the former government House leader, taking that position in spite of the fact that we had had 10 days of debate on it at third reading at that stage. We also had lengthy debates in prior Parliaments. However, I believe it was the Reform Party at that time, the predecessor to the Conservative government, raising this issue and doing that.

It is quite clear that when the Conservatives are in government they are talking an entirely different line than when they sat on this side of the House. After the next election, when we are in government, we would be quite prepared to live under the terms of this motion.

• (1020)

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, the problem that I have is that in a democracy like ours, we have a Parliament where we debate bills. Through our committees we are able to bring Canadians in to help us hear their voices. Under this government we have had nine bills with time allocation. Conservatives are stopping Canadians and members of Parliament from raising questions and bringing their concerns on these bills. Is that not taking away the democratic rights of not only parliamentarians but all Canadians?

I think it is a serious matter when every bill in the House now has time allocation. "It's my way or the highway". That is what the Conservatives are doing right now and they are going against democracy in our country.

**Mr. Joe Comartin:** Mr. Speaker, I never could bring the same passion that my colleague from Acadie—Bathurst brings to these issues, but I totally agree with his description of the underpinning that the rules have for us in order to have democratic debate and the attack on those basic, fundamental rights to have debate in this Parliament.

It is much worse. This is the worst that we have ever seen. The Conservatives were critical of the Liberals when they did this in 2002, but they are actually way ahead of them. They are worse than what the Liberals were.

**Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP):** Mr. Speaker, I am very happy to rise in the House to speak to this motion, because I think it is truly non-partisan. The motion gives you, Mr. Speaker, the power to decide and the criteria to use for time allocation measures.

In general, under the Westminster system in Great Britain, the speaker can refuse to put the question if the motion appears to be an abuse of the Standing Orders of the House of Commons or an infringement of the rights of the minority. I see that as a way of ensuring that the system is not abused. That makes complete sense.

Obviously, we understand that the party in power can decide to limit debate on certain issues. However, we think that this option should not be overused, misused or used for partisan purposes. We think that putting this in your hands, Mr. Speaker, would help us and the other opposition parties, as well as the party currently in power, since it will end up back in opposition one day. When that time comes, it will be very happy that a motion like this was adopted.

Our colleague from Windsor—Tecomseh started talking about this when a question was raised. I would like to share with the House just how much our colleagues currently on the government side agree with this motion. First, our Prime Minister debated this subject a number of times in the House, for example in 2002, when he said, "We have closure today precisely because there is no deadline and there are no plans. Instead of having deadlines, plans and goals, we must insist on moving forward because the government is simply increasingly embarrassed by the state of the debate and it needs to move on."

It is clear that when the government realizes that attacks are coming from all over, that a lot of people have concerns and do not agree with what is going on and that it has less support, it decides to shut down debate immediately. There is no more debate and it no longer wants to hear from the opposition. All that matters to the government is doing what it wants, regardless of what others have to say. That is unacceptable. Even they agreed with us. They were just as horrified by these kinds of petty partisan practices that make the House less democratic and that silence the people who voted for opposition parties. We can no longer say what we want. It makes no sense.

I could also mention the Minister of Canadian Heritage and Official Languages, who in 2002 said, "Mr. Speaker, here we go again. This is a very important public policy question that is very complex and we have the arrogance of the government in invoking closure again. When we look at the Liberal Party [and this can be said of the current government] on arrogance it is like looking at the Grand Canyon. It is this big fact of nature that we cannot help but stare at."



*Business of Supply*

What I want to try and explain is that we do not simply want debate because we want to talk. It is because that is how things work. This is Parliament. There are systems. It is only appropriate that the people who voted for us and for the other opposition parties should be able to express their opinions through members who speak to their constituents to determine what they should be defending in the House. We are here to represent them. It makes sense that we would discuss topics that interest them.

I would like to talk about the speech made by the Prime Minister on the night of May 2, when he was elected as the head of a majority government. He said:

• (1025)

[English]

For our part, we are intensely aware that we are and we must be the government of all Canadians, including those who did not vote for us.

[Translation]

The Conservatives are telling us that time allocation motions are necessary simply because people voted for them, they now form a majority government and they received a strong mandate from Canadians.

Yes, we understand that they have a majority government. They have said that they are governing for all Canadians, including those who did not vote for them. Those who did not vote for them, voted for us. There are 308 members here. We were all elected democratically and received a strong mandate to represent our people. At the very least, allow the members to debate and explain their points of view and opinions. That is the basic standard. It is quite simple.

Mr. Speaker, when the government introduces a time allocation motion, you will be able to decide whether it is justified, by determining whether it is merely an abusive partisan measure or it goes against minorities' interests. You will be able to decide, in all good conscience, what should be done with it. This will be useful not just to us, but to everyone and particularly to the government, when it sits on the opposition benches. I am sure that it will then use its nice rhetoric to express its indignation about motions that prevent us from debating certain issues.

In 1987, former Speaker Fraser said:

It is essential to our democratic system that controversial issues should be debated at reasonable length so that every reasonable opportunity shall be available to hear the arguments pro and con, and that reasonable delaying tactics should be permissible to enable opponents of a measure to enlist public support for their point of view.

The only thing missing is a measure that would allow you, Mr. Speaker, to regulate all this. We realize that it is sometimes important to limit debate because of certain constraints, because of an agreement reached between the parties and other similar measures, but that should not be done in a partisan way.

If we look at all the bills that have been rammed through using closure and time allocation motions since the beginning of this session in June, it just does not make any sense. There is the omnibus crime bill, which is hundreds of pages long. Then, all of a sudden, the government tells us that it does not want to look at it. The Conservatives do not want any more criticism or debate so as to

avoid putting this legislation in the limelight, particularly since so few people support such measures.

As the hon. member for Windsor—Tecumseh mentioned, there are many things in these bills on which we could agree. We could decide that a measure is important and also want to proceed quickly to implement it. Some may not agree with certain measures and may criticize them. So when these initiatives are buried in all kinds of provisions and we need time to review them, it is only natural that we should not be pleased and should condemn the fact that the debate gets shortened once again.

Once again, the government is preventing the opposition—those who have reservations and concerns about a given measure—from speaking out. I do not understand how someone can say almost exactly the same thing as me when they are on this side of the House, and as soon as they get into power, refuse to listen to anyone. At one time, the Conservatives criticized the government in power for not wanting to listen to what they had to say, but now, they are turning a deaf ear and do not want to hear what we have to say. They do not want to have a debate, because they know they have very few good arguments and very little support. They refuse to listen and prefer to say that, since they have a majority, it is over.

There is something wrong with this picture. They are playing with the democratic process, with our Parliament and our democracy. We were all elected, so this is an important, even crucial issue.

I have another lovely quote from the Prime Minister:

After limiting debate in the House on the first day of debate, after limiting committee hearings to two days and giving witnesses 24 hours notice, the government now informs us it wants to make a major change...Will the government admit that it should properly consult Parliament, affected parties, experts and Canadians and that the appropriate thing to do is to withdraw Bill...

• (1030)

The Prime Minister, the person who is running our country right now, who is the head of our government, was saying exactly the same thing as we are now saying. I am convinced that this motion could be supported by a majority of the House, because it simply aims to improve democratic debates and how they work, and to give everyone the right to have their say.

One thing is certain: if we ever form the government, as my colleague from Windsor—Tecumseh said, we will respect this kind of democratic principle and we will listen to all Canadians, not just those who voted for us.

[English]

**Mr. Colin Mayes (Okanagan—Shuswap, CPC):** Mr. Speaker, I appreciate the fact that debating policy in this place is very important, but I believe that equally important is the debate that happens during a general election. Our party was quite clear in the policies we wanted to bring forward for Canadians. Canadians were quite clear that they supported the policies that our party is now bringing forward in the House, such as issues around freedom for farmers in the Wheat Board. Just think about the number of seats that affects. There are about 50 seats, 1 in British Columbia, and we won 90% of those seats. My assumption is that 90% of the people support our policy on the Wheat Board.

I would ask the member, does she not value the debate that took place with the public and the policies that we presented? If she wants to respect democracy, she should respect what the citizens of Canada said on May 2.

[Translation]

**Ms. Alexandrine Latendresse:** Mr. Speaker, I want to thank the hon. member very much for his question.

I find it interesting to see how statistics can be manipulated sometimes. He is trying to tell us that the Conservatives had strong backing to abolish the Canadian Wheat Board. We know that plebiscites were held on the matter for those truly affected by this and that the result was quite disastrous as far as the Conservatives were concerned. They claim to want to truly respect the decisions made on May 2. We are simply telling them they were supported by less than 40% of the Canadian public. The government received 39% of the popular vote, meaning that 61% of Canadians said they were not interested in the Conservatives' agenda and that it was not what they wanted for Canada.

I am not suggesting that everyone agrees with what we are saying. That is not it. We just want to add a different perspective. The other opposition parties also want to add a different perspective. However, the majority of Canadians said no to the Conservatives' agenda. If the Conservatives want to respect democracy—

• (1035)

**The Speaker:** The hon. member for Trois-Rivières.

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, I have a question for the hon. member, who is perhaps stronger in statistics than I am.

I can understand how Conservative MPs from a previous Parliament may have held onto their old way of thinking about things and seeing things, although openness is always appreciated. However, it seems that 100 new MPs in the House of Commons is some sort of all-time record and a clear message from the Canadian public. If 100 new MPs are elected, particularly on this side of the House, then something has changed and the public wants a new vision in this Parliament. I find it especially contradictory that at a time when the government wants to increase the number of seats in the House of Commons to reflect the Canadian population, it is muzzling MPs once they get to the House. Can I—

**The Speaker:** The hon. member for Louis-Saint-Laurent.

**Ms. Alexandrine Latendresse:** Mr. Speaker, I thank my colleague from Trois-Rivières for his question.

That is the essence of the debate. If we truly want an active and living democracy, the government must take election results into account. Yes, they have a majority government. They can now govern for all Canadians and will not have to call elections all the time. Now, could we have sane and reasonable debates with everyone? Everyone here was elected and received a strong democratic mandate from their constituents. We must respect that. It is possible to have sane and constructive debates. If the government proposes something interesting that we can debate and take back to our constituents, we would not have anything against that.

### *Business of Supply*

We are here to work for all Canadians too. I do not understand how the Conservatives can say that we should increase the number of seats in the House of Commons in order to improve democracy and then turn around and say that if we do not agree with them, we have no say, we should shut up and try not to make too much noise, since they do not like that. It is embarrassing for them, and in the papers, everywhere, everyone is against them. What will they do?

There is something really twisted in this way of thinking. I think that you should have the power, Mr. Speaker, since you are non-partisan—

**The Speaker:** Order.

The hon. member for Kitchener—Conestoga.

[English]

**Mr. Harold Albrecht (Kitchener—Conestoga, CPC):** Mr. Speaker, I am splitting my time with the hon. member for Macleod.

I am pleased to rise today to speak to today's motion from the member for Windsor—Tecumseh. I also want to acknowledge the two previous speakers for their good work in the House and the privilege of working with them on the procedure and House affairs committee.

On May 2, Canadians gave the Conservatives a strong, stable national majority government. Canadians expect us to fulfill our commitments to them and that is exactly what we are doing. We are moving forward on our election commitments to implement the next phase of Canada's economic action plan.

There are EI measures within this bill that encourage job creation. There is the accelerated capital cost allowance for small businesses to invest in efficient equipment. There are measures to protect law-abiding Canadians. These important measures for the safety of our communities and for the safety of our children and of our grandchildren have been stalled by the opposition. The Conservatives would also provide marketing freedom for western Canadian grain farmers, something Ontario farmers have had for decades but the same privilege has not been granted to our western colleagues. There are measures to eliminate once and for all the wasteful and ineffective long gun registry. There are measures to provide fair representation to all provinces in the House of Commons and move every single province closer to representation by population. As my colleagues across the way will know, we have MPs serving fewer than 40,000 constituents while others are serving four times that many. This imbalance needs to be addressed.

We have introduced legislation in this House on all of these important measures. However, despite the talking points being used across the aisle, not one of these measures is law yet. We have seen delay tactic after delay tactic. Each of these bills has been extensively debated in the House of Commons and at committee hearings.



*Business of Supply*

As an example, let us look at Bill C-13, the keeping Canada's economy and jobs growing act. This bill would implement the 2011 budget. We on this side of the House think that the 2011 budget should be passed into law in 2011. Looking at the calendar, there is not a lot of time left before we get to the new year. The new year, 2012, is only weeks away and we still have not implemented budget 2011 because of opposition delay tactics.

This bill includes important measures from this year's budget, including a job-creation tax for small business. All of us in this House agree that small business is the economic engine of Canada. There is the family caregiver tax credit. My colleague knows firsthand how important it is to make it easier for families to care for gravely ill relatives. There is the children's arts tax credit and the volunteer firefighters tax credit. In rural and remote parts of Canada, it is important that we have recruitment and retention tools for our volunteer firefighters. There is tax relief for the manufacturing sector, as I mentioned, the accelerated capital cost allowance. The bill includes making the gas tax refund permanent. Municipalities are constantly asking for predictable funding for their infrastructure needs.

All of these measures would promote job creation and economic growth. They would help add to the nearly 600,000 jobs already created in Canada since the global economic recession. These measures were supported by Canadians from sea to sea. They were exactly what Canadians voted for when they re-elected the Conservative government on May 2, with a majority mandate. However, we know the opposition has voted against these job-creating measures. For some reason, it opposes these positive and important job-creating initiatives.

I know today's motion is about debate in this place so allow me to outline just how much debate has already been given to the next phase of Canada's economic action plan. The budget was introduced on March 22 by the Minister of Finance. Debate on the budget started before the opposition forced an unnecessary election. Following the 37-day election campaign, which was focused on the Canadian economy, we moved quickly to reintroduce the budget on June 6. That was followed by four days of debate on the budget in June before we rose for the usual summer break in our constituencies.

● (1040)

When we came back in the autumn, we introduced the keeping Canada's economy and jobs growing act to implement the budget. That bill was debated for four days at second reading before being referred to the Standing Committee on Finance. That committee found time amid its 2012 pre-budget consultations to study the bill. After it was reported back to the House, it was debated for three further days at third reading and report stage. All told, the job-creating measures of the next phase of Canada's economic action plan as set out in Bill C-13 have been deliberated in this House for 12 days. That does not include the two afternoons used for the spring's two budget speeches. Just to repeat, we have had 12 days of debate on these important and urgent economic measures in this House. It is time for action.

I want to turn briefly to a second major bill in this fall sitting, Bill C-10, the safe streets and communities act.

During this spring's election, our Conservative government promised Canadians that we would pass comprehensive law and order legislation within the first 100 sitting days after the election. Looking at today's order paper, I see that today is the 54th sitting day. Just yesterday, the bill was reported from the Standing Committee on Justice and Human Rights. The bill includes important measures, including proposals which would crack down on pedophiles who prey on children, and violent gangs that sell drugs to our children. These are all very important items that need to become law.

Despite some 27 hours or so of committee proceedings dedicated to clause-by-clause study and related business, we already have some 34 amendments to the bill tabled for report stage, which we will have to debate and vote on. I have no doubt whatsoever that we will see that number grow before the bill comes forward for debate on Tuesday morning.

After report stage and third reading, the bill will then go to the other place where the entire legislative process will be repeated.

It is fair to say that we are just about one-third of the way through the passing of Bill C-10 into law. One-third might sound like a breeze to some, but passing the nine predecessor bills to Bill C-10 has been anything but a breeze over the last several years and, in some cases, over three Parliaments. There have already been 95 hours of debate in this chamber alone on these proposals. In both houses there have been 261 speeches. That sounds to me to be pretty thorough debate already.

If I had a lot more time, I would go on about some of the other key priority bills of the government, such as Bill C-20, the fair representation act, and Bill C-18, the marketing freedom for grain farmers act, just to name two. Each has its own important and urgent requirements to become law this fall in order to meet timing demands driven by facts of life outside the House of Commons. Farmers need certainty before they plant their spring crops. Boundary commissions need to know what numbers they are working with, and they need to know that by February.

I cannot help but comment on the proposals set out in the motion put forward today by the member for Windsor—Tecumseh. I have to be honest; I am quite confused by the mixed messages it sends.

The NDP House leader has put forward a motion that would give the Speaker only 19 sitting days to study his proposals. The debate he contemplates following the Speaker's report would appear to last but one single solitary day. If we look at the wording of his motion, the member is basically putting closure on his own motion.

*Business of Supply*

On top of that, it is totally and completely ironic that the Speaker is required by the Standing Orders to put the NDP's motion to a vote after only two hours of debate in this House. This has to be the shortest debate on any item in the House since we came back in September.

In closing, Conservative members will be voting against the motion which tries to sidestep the fact that the opposition parties are trying to stop good things for Canadians, things which Canadians voted for just six months ago. The NDP wants to stop that great progress, to stop these things from becoming law, despite thorough and extensive debate and study.

● (1045)

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, I have to say to my colleague from Kitchener—Conestoga that he obviously is confused. In fact, 20 days of debate would be allowed. Mr. Speaker, I am sure you understood the motion which the member obviously did not. There is plenty of time. When he mentioned 19 sitting days, his math may be right on that, but the reality is that given the break period over the end of the year into February when we would expect the report back, it is more like 60 to 70 days. I realize some of those would be taken up as vacation time, but there would be plenty of time. Mr. Speaker, if you need any assistance in that regard in terms of preparing the report, I can assure you that my caucus colleagues and I will be available. Perhaps the member could acknowledge that.

I want to make one point about the 100 day promise that was made by the Prime Minister during the election. If he felt so compelled to keep that promise, why was he not feeling the same way about keeping the promise he and the finance minister made about when they would retire the deficit in the budget? They broke that promise about two weeks ago. If that one was not important enough, why was the other one?

**Mr. Harold Albrecht:** Mr. Speaker, it is easy to read the frustration that is building on the other side. We saw last week a very unfortunate event in Parliament when a member of Parliament used parliamentary resources to tweet some very unacceptable language. The day before yesterday in the House we saw that a protester in the gallery actually was applauded and cheered on by some of the opposition members, although I will give credit that not all of the opposition members did that. These events are very unfortunate.

I understand the members' frustration, but even among NDP supporters, there is a growing realization that we are simply wasting time debating and debating. It is time for action. A friend of the NDP, Ian Capstick, said:

Well, I think it's an unfortunate result of the polarization that the opposition is not really ready to let the government pass any of its bills. The government comes back with a majority, but the opposition is determined to dig in and use every procedural trick that they can to hold things up. At some point the government has to use its majority to assume control....probably everything will be time allocation or virtually everything from now on—

● (1050)

**The Speaker:** I will have to stop the member for Kitchener—Conestoga there to allow another question.

The hon. member for Bonavista—Gander—Grand Falls—Windsor.

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, there was some confusion earlier about the fact that no bill has received royal assent. For the record, since the election, Bill C-2, C-3, C-6, C-8, C-9, several bills have received royal assent. I do not know where that confusion is coming from.

Nonetheless, I would like to read what I think is the quintessential quote about how we should uphold the principles of debate in the House and that every member of Parliament willing to speak on an issue should have his or her say:

The role of each and every individual in the Chamber is to have an opportunity to stand up and debate legislation. If we want Canadians to have faith in this institution and in the relevance of parliament, we must be able to debate intelligently and to make suggestions, not just to take a wrecking ball approach but to put forward thoughtful suggestions and thoughtful input into legislation.

Who said that? The Minister of National Defence said that several years ago. At the time he was complaining that 30% of the bills were time allocated. The Conservatives are now up to 50%. Half of the bills have been subject to time allocation.

**Mr. Harold Albrecht:** Mr. Speaker, it is easy to manipulate those numbers. Certainly 50% of a small number looks like a huge number. We came back in September to get some things done. Our colleagues know that we have to get Bill C-13 into law. We are so close to the end of 2011, and we have not even passed the 2011 budget yet.

We have had many opportunities. On Bill C-10, the safe streets and communities act, we have had four days of debate in the House, 11 committee hearings, 37 hours, and 53 speeches in the House in over 16 hours. That has been on Bill C-10 alone. On Bill C-13, we had seven total days of debate in the House. There were more days of debate at second reading than the average budget bill over the last two decades and more than any Liberal majority bill during that time. There have been more days of debate on Bill C-13—

**The Speaker:** The hon. member is out of time for questions and comments. Resuming debate, the hon. Minister of State for Finance.

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, I am going to make a statement that I am sure has never been heard before in this House. Canadians actually gave our government a strong mandate to fulfill our commitments to Canadians, and that is exactly what we are doing.

Despite what the opposition would have us believe, each of our bills has been extensively debated in the House of Commons and at committee hearings.

Bill C-13, the keeping Canada's economy and jobs growing act is an example that I can speak to personally. As the Minister of State for Finance, I have been deeply involved in that.

We have heard that there have been 12 days of debate on the measures in Bill C-13 in this House. It should also be noted that there have been almost 120 speeches and over 32 hours of debate on Bill C-13 itself in this House.



### *Statements by Members*

I would remind hon. members, as was mentioned by my colleague, that the budget was actually tabled on March 22. It was debated extensively throughout the election campaign. I would say it was passed by Canadians, a term that is not often used in connection with elections, but it actually passed because that is what we ran on. The finance committee studied it, including all of its other studies which it had started in 2010 to discuss what was going to be in budget 2011.

We will not allow the opposition to continue playing political games and delaying our important legislative agenda, especially our budget proposals, in today's economic climate.

On Monday, the opposition voted against Bill C-13, despite all the important job-creating measures that are included in this bill and which were extensively debated. I would like to take this opportunity to share some of the proposals in Bill C-13 that illustrate clearly just how the government is keeping our commitment to Canadians and just why we needed to take swift action.

As we all know, Canadians have weathered some very difficult economic times over the last couple of years. Our government has taken unprecedented action to help them through this challenging period, and we are seeing some reassuring signs of economic recovery.

The next phase of Canada's economic action plan builds on the government's record by announcing new measures for families and additional support for communities. This includes encouraging hiring by providing a temporary hiring credit for small business of up to \$1,000 against a small firm's increase in its 2011 employment insurance premiums over those it paid in 2010. We are almost in 2012. Clearly the time is here to implement this hiring credit.

The economic action plan also includes an extension of active or recently terminated work-sharing agreements by up to 16 weeks, so that companies can avoid layoffs by offering EI benefits to workers willing to work a reduced work week while their company recovers.

The government is focused on supporting Canadian families with a range of targeted measures that will help Canadians find and hold onto good, high-paying jobs while improving Canadians' quality of life in big and small communities all across this country.

Lower taxes support businesses by providing them with the freedom to grow and invest. Reductions in corporate taxes increase incentives for firms to invest in new equipment, to undertake innovative research, and to continue creating jobs.

Bill C-13 builds on actions taken by our government by continuing to keep taxes low. We cannot afford to further delay this.

For example, to promote the exploration and development of Canada's rich mineral resources, Bill C-13 proposes to extend the temporary 15% mineral exploration tax credit for an additional year into 2012. The credit helps companies raise capital by providing an incentive to individuals who invest in flow-through shares issued to finance mineral exploration.

● (1055)

Similarly, investments in clean energy technology and innovation are essential to realizing economic opportunities, creating employ-

ment and enhancing the Canadian advantage. Canada is an energy superpower with one of the world's largest resource endowments of both traditional and emerging sources of energy. Canada is increasingly looked to as a source and dependable supplier of a wide range of energy products.

Bill C-13 proposes to expand eligibility for accelerated capital cost allowance treatments for clean generation equipment to include equipment that generates electricity using waste heat. The government will continue to invest in Canadian capabilities, the drivers of our economic growth.

As a trade-dependent economy, Canada benefits from having an open and efficient trading system. As part of the economic action plan, Canada's trade instruments, notably the customs tariff, will be simplified and streamlined in order to facilitate trade and lower the administrative burden for businesses as well as government.

More specific, Bill C-13 proposes to reduce the customs processing burden for businesses by reducing the number of tariff items contained in the customs tariff to facilitate the classification of imported goods. By ensuring that Canada's trade instruments are modernized and streamlined, these measures will lower customs processing costs for Canadian businesses, making them more competitive at home and abroad and supporting their participation in global supply chains.

We want to get rid of this red tape now, not later. It is important that we move on with many of these initiatives.

There are many more that I would like to have talked about, but I see my time is up. I could go on and on about all the initiatives the NDP are trying to block, initiatives that businesses and Canadians need now.

**The Speaker:** The hon. member will have three minutes left after question period to conclude his remarks.

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## STATEMENTS BY MEMBERS

[English]

### CITIZENSHIP AND IMMIGRATION

**Mrs. Susan Truppe (London North Centre, CPC):** Mr. Speaker, Canada was built by immigrants and our economic future depends on our ability to quickly accept and integrate newcomers.

I am pleased to be a member of Parliament from such a diverse riding. Because of Liberal neglect and empty promises, a massive backlog accumulated in every immigration category. We are working to fix this problem. Right now, parents and grandparents can expect to wait eight years or more before they receive a decision on their application. This is unacceptable and unfair.

My constituents were pleased that the Minister of Citizenship, Immigration and Multiculturalism recently announced that the government would increase the number of parents and grandparents admitted to Canada next year. From about 15,500 in 2010 up to 25,000 in 2012, this is the highest level in nearly two decades.

The new super visa for parents and grandparents will allow families to reunite quickly. As of December 1, visiting parents and grandparents who meet basic criteria of financial support and medical clearance will now be eligible to visit Canada for 24 months without renewing their visitor status.

My constituents of London North Centre—

● (1100)

**The Speaker:** Order, please. The hon. member for Rivière-des-Mille-Îles.

\* \* \*

[Translation]

### AEROSPACE INDUSTRY

**Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP):** Mr. Speaker, the aerospace industry in the Laurentian region has seen significant growth in the past 20 years and now includes about 20 companies and 4,000 direct jobs. The riding of Rivière-des-Mille-Îles has a number of world-class small and medium-sized businesses working in this sector. I am thinking of Patt Technologies and Metcor in Saint-Eustache, as well as DCM Aerospace and TMH Canada in Boisbriand.

Although the aerospace industry is booming, it is nevertheless a cyclical industry that must face foreign competitors with better government support. The NDP has long proposed that we develop a concerted industrial strategy for the aerospace industry to better support innovation and promote the modernization of equipment. While this government is handing over a blank cheque to Lockheed Martin, it is avoiding coming up with a real policy that would secure the future for Canadian and Quebec workers in the aerospace industry.

\* \* \*

[English]

### EGYPT

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, Maikel Nabil is a young Egyptian blogger, one of the early voices of the Tahrir Square revolution, whose words, “the army and the people are of one hand”, symbolized the hopes of the Egyptian Arab Spring. When the military started oppressing civilians, Nabil wrote, “the army and the people are no longer of one hand”, for which he was sentenced by a military tribunal to three years in prison in a process devoid of any legality.

Maikel is now on the 95th day of his hunger strike. He has become a symbol of hope and betrayal of an Egyptian Spring turned Winter, his life hanging by a thread.

I know all colleagues will join me in urging the Egyptian authorities to immediately release him and vindicate the original hopes of the Egyptian Arab Spring.

### Statements by Members

#### JUSTICE

**Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC):** Mr. Speaker, Canadians are rightfully concerned when the practice of polygamy is exposed in the country.

Polygamy has been linked to a consistent set of harms, including: physical and sexual abuse; physical, reproductive and mental health harms; economic deprivation; lower levels of education; inequality, including both gender inequality and marginalization of young men; decreased political rights and civil liberties; and the commodification and objectification of women. The harmful effects of polygamy justify the criminal law ban.

That is why our government has vigorously defended the prohibition against polygamy in the Criminal Code. It is a practice which inevitably leads to the exploitation of women and young girls. This is unacceptable to our party and to our government. We have already acted to raise the age of sexual consent from 14 to 16 and currently have legislation before the House that will crack down on a wide variety of child sexual offences.

I would like to assure all Canadians that they can count on our government to stand up for these important values.

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#### NATURAL RESOURCES

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Mr. Speaker, this week we have some great news for workers in Canada and the United States. The state of Nebraska and TransCanada Pipelines have agreed to find a route for Keystone pipeline through Nebraska.

Keystone, when approved, means 20,000 immediate construction jobs in the United States and tens of thousands of jobs in Canada. It will be the safest transportation method for oil in the world, oil from an ethical, safe, democracy that believes in equal rights for all and the rule of law for its citizens.

Yes, the NDP asked the Americans to stop the pipeline and kill tens of thousands of Canadian jobs. It is hard to believe the NDP would work to kill Canadian jobs and would encourage the purchase of oil from countries that do not allow women to vote, do not believe in individual rights and have many of their citizens live in fear and poverty.

Why would the NDP members do this? It is obvious they want to play politics with the lives of Canadians. They are not in it for Canadians; they are in it for themselves. They are not fit to govern.

\* \* \*

● (1105)

[Translation]

#### GLOBAL BUY NOTHING DAY

**Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP):** Mr. Speaker, today is Global Buy Nothing Day.



### *Statements by Members*

We wish to recognize this day as an opportunity to reflect on the issue of overconsumption and how consumerism in wealthy countries affects the planet as a whole in terms of its social, economic and ecological impact.

At present, 20% of the world's population consumes 80% of all global resources. In every country, people are suffering because they cannot get the basic resources they need to live comfortably. In certain regions of the world, some people do not even have access to food every day and many children are suffering as a result.

Global Buy Nothing Day is not meant to hurt the economy, but it is an opportunity for people to reflect on how lucky we are to be able to buy things every day without even thinking about it.

I would like to congratulate an organization in my riding, the Coop la Maison verte, which is marking this event on Sunday by inviting its members to gather at the co-op to raise awareness, without buying anything. It is very important that we all pay attention to our consumption habits and make responsible decisions.

\* \* \*

[English]

### **GREY CUP**

**Mr. Andrew Saxton (North Vancouver, CPC):** Mr. Speaker, this Sunday millions of Canadians from coast to coast to coast will turn their eyes toward beautiful British Columbia for the 99th Grey Cup. This annual sporting event is one of the oldest in the world.

However, as millions of Canadians know, the Grey Cup is about more than just football. For almost 100 years, the Grey Cup has helped bring our country together. Serving as Canada's unofficial fall festival, the Grey Cup affords an opportunity for all Canadians to come together to celebrate an event that is uniquely Canadian.

I have had the opportunity since 2004 to be a member of the B.C. alliance family as a member of the support group, the "Waterboys". The Lions, which had its first season in 1954, is the oldest professional sports team in British Columbia and is a valuable and important member of our community.

This weekend, along with millions in British Columbia, I will be cheering on the team members of the Lions as they attempt to win their sixth Grey Cup. Go Lions go.

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### **RELIGIOUS FREEDOM**

**Mr. Deepak Obhrai (Calgary East, CPC):** Mr. Speaker, from November 16 to 19, I joined the Governor General on a state visit to Vietnam. This visit was the first ever state visit to Vietnam. This visit was to continue establishing our growing relations in trade, education and cultural ties.

While these ties are growing, nevertheless our concerns regarding human rights, the rule of law, religious freedom and promotion of democracy remain. During our bilateral meeting with the president, I emphasized these principles as a major platform of our foreign policy. I also informed him of our plans to open an office of religious freedom.

The next day, on our visit to Ho Chi Minh City, I then paid a visit to the parents of Nguyen Tien Trung, who has been sentenced to 16 years for advocating more democracy. I inquired about Mr. Nguyen's well-being.

Canada recognizes the desire of Vietnam to be a member of the international community. However, it needs to show that it has taken concrete steps to address its shortcomings in human rights, the rule of law, religious freedom and promotion of democracy. Canada is ready to assist.

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### **GREY CUP**

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, this Sunday the big blue machine will descend on the hapless and unsuspecting B.C. Lions and regain its rightful ownership of the Grey Cup.

The Winnipeg Blue Bombers have a great history and tradition of triumph and victory. In 1935 it was the first team west of Ontario to ever win the Grey Cup. Since then, it has contested for the championship no fewer than 24 times, one of the best records in the league. The 1950s and 1960s were golden years for the blue and gold, with four Grey Cup victories in five seasons, and we christened "The House that Jack Built", the stadium that our team has called home until this very season.

The Winnipeg Blue Bombers are the pride of the Prairies, with the most devoted and passionate fans in the league. We love our team and our team has always made us proud.

I know that Sunday, November 27, the 99th CFL Grey Cup will be a great day and a historic event, as the big blue machine brings the Grey Cup back where it belongs: to the corner of Portage and Main.

\* \* \*

[Translation]

### **VIOLENCE AGAINST WOMEN**

**Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** Mr. Speaker, today is International Day for the Elimination of Violence Against Women. Today also marks the beginning of 16 days of activism to combat violence against women here in Canada and around the world. This period of activism will end on Human Rights Day on December 10.

Violence against women affects everyone. It destroys families, undermines our social fabric, harms our communities and hinders our economy.

Our government made this problem a priority in the Speech from the Throne. Since 2007, the government has invested more than \$39 million in projects to address this situation.

These 16 days of activism remind us to do everything we can to eliminate violence against women and girls, today and always.

• (1110)

### TADOUSSAC SONG FESTIVAL

**Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP):** Mr. Speaker, the Festival de la chanson de Tadoussac has been celebrating French song for 28 years. This event features emerging artists who perform various types of music and it attracts people from everywhere, close to 38,000 in 2010. The festival's economic spinoffs exceed \$1.7 million. This shows how the festival has expanded over the years.

During the Canadian Tourism Awards Gala, which took place on November 24 in Ottawa, the Festival de la chanson de Tadoussac was a finalist for the national award for cultural tourism. I want to acknowledge this recognition, which is the result of the hard work the organizers and volunteers have put in to make this festival a model to follow.

Congratulations and long live the Festival de la chanson de Tadoussac.

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[English]

### TIM HORTONS IN KANDAHAR

**Mr. Leon Benoit (Vegreville—Wainwright, CPC):** Mr. Speaker, a piece of home for Canadians serving in Afghanistan is now coming home.

The Tim Hortons outlet at Kandahar airfield is closing after boosting soldiers' spirits for over five years. Civilian personnel hired by the Canadian Forces poured over four million coffees and half a million iced capps and served over three million doughnuts. Many of these civilians did multiple tours in Afghanistan.

The Tim Hortons on base provided a meeting place for soldiers from all nations. It was a place to sip on some coffee and have some good conversation. For many, it was a home away from home.

How many Canadians know this: all the proceeds from the Kandahar Tim Hortons went to support our troops and their families.

We salute and thank Tim Hortons for its support of our men and women in uniform.

We salute and thank the civilian personnel whose commitment made life a little easier for those who serve.

We salute and thank our brave men and women of the Canadian Forces who answer the call to duty each and every day.

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### A HARE IN THE ELEPHANT'S TRUNK

**Hon. Scott Brison (Kings—Hants, Lib.):** Mr. Speaker, Jan Coates is a children's author and teacher from Wolfville, Nova Scotia, who has been writing for children since 2000.

This year her book *"A Hare in the Elephant's Trunk"* was one of five finalists for the 2011 Governor General's Literary Award—Children's Text.

The novel for young adults is based on the life of Jacob Deng, who as a seven-year-old in southern Sudan embarked on a journey of

### Statements by Members

survival. Jacob fled from a civil war, lived in a refugee camp, endured hunger and aspired to an education as a path away from violence.

In 2003 Jacob arrived in Nova Scotia as a refugee. He has since studied at both Acadia University and St. Mary's University and has established a charitable foundation, Wadeng Wings of Hope, to build schools in Sudan. Forty per cent of the proceeds from the sales of Jan's books is donated to Jacob's charity.

Jacob's life is a story of courage, and Jan's book about it is a lesson on life for all of those who read it.

Congratulations, Jan and Jacob.

\* \* \*

### TAXATION

**Mr. Ryan Leef (Yukon, CPC):** Mr. Speaker, the member for Vancouver Quadra is calling for Canada to impose a European-style carbon tax. The member for Saint-Laurent—Cartier wants a global carbon tax. The Liberal scheme for a job-killing carbon tax on everything is back on the table.

If the Liberals had their way, Canadians would be paying substantially more for gas in their cars, electricity for their homes and everything else they buy.

Canadians must not forget the Liberals' hidden agenda of imposing a massive new tax on everything if they get their chance.

It is not just carbon taxes. Recently their interim leader called for the end of tax credits for children, transit users and workers, and despite the current global economic uncertainty, the Liberals continue to call for higher taxes on job creators.

It is clear that the Liberal Party still has no new ideas other than higher taxes for Canadian families.

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### G8 SUMMIT

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, the Conservatives were elected on a promise to clean up Ottawa. Instead, the Muskoka minister gets his hands on a \$50 million slush fund. He runs the program through his constituency office. He hides the documents from the Auditor General. Then, when he is pressed for an explanation by committee, he claims that he had no role in the review of the projects. Two hundred and forty-two projects magically became 32. That is simply not true.

We have his letters of rejection to the municipalities. He said in the House that he handed all of the documents to the Auditor General. That is not true. The Auditor General told committee that she was given only a few unrelated documents.

Where is the outrage from Conservative backbenchers on behalf of Canadian taxpayers? Why are they sitting on their hands? Those Conservatives came to Ottawa to change Ottawa, but instead Ottawa changed them. They are now worse than the party they replaced.



*Oral Questions*

● (1115)

**NEW DEMOCRATIC PARTY OF CANADA**

**Mr. Ted Opitz (Etobicoke Centre, CPC):** Mr. Speaker, while our Conservative government is focused on creating and protecting jobs with our low-tax plan and job-creating measures such as the hiring credit for small business, the NDP is constantly opposing them and thus opposing helping Canadian families.

In the coming months, Canadians will endure countless NDP leadership debates. The candidates will each be looking to lead Canada's socialist movement. However, even before the debate, we already know what most NDP leadership candidates want to do for the economy and Canadian taxpayers, and workers everywhere should be very afraid.

First, they want to kill jobs by hiking taxes on employers by nearly \$10 billion a year. Second, they want to impose a new tax on everyday financial transactions. Third, they want to increase personal taxes. Fourth, they want to hike taxes on everyone by implementing a higher GST. The list of tax hikes and ill-considered schemes goes on and on.

When it comes to the NDP and the economy, Canadians know that means three things—

**The Speaker:** Order, please.

Oral questions, the hon. member for Burnaby—New Westminster.

**ORAL QUESTIONS**

[Translation]

**EMPLOYMENT**

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, this government should be attacking the twin deficits in the job market—the deficit of 2 million Canadians left out of the workforce and the deficit of quality in the jobs being created. The few jobs that have been created are of lesser quality, pay less, are less stable and have fewer benefits. The question is simple. When will the government have the courage to face reality? When will this government change course? When will it create high-quality jobs such as the ones families have lost?

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, as the federal government, our priority is economic growth and job creation. We set out new measures in this fall's bill, but the NDP voted against every one of our proposals aimed at creating jobs. It voted against efforts to help small businesses and measures to lower taxes and make Canada the best place in the world to invest. Economic growth is our priority. We have already created 600,000 new jobs over the past two years. That is a good start, and we will continue to work on economic recovery.

[English]

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, we voted against policies that created 72,000 lost jobs in the month of October alone. We voted against policies that have left two million Canadians unemployed. We voted against policies that have forced down average wages in this country by 2% over the last year. We voted against a program that has left a million Canadians

going to food banks just to make ends meet. We have lost 600,000 well-paid manufacturing jobs on the Conservative watch. That has led to a decrease in wages.

It is very clear that the government does not know where it is going. Where is the real job creation plan? Why—

**The Speaker:** Order, please.

The hon. Minister of Foreign Affairs.

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, we are pleased with the 600,000 net new jobs created since the bottom of the recession, but we are not declaring victory. We remain focused on the Canadian economy. We remain focused on ensuring that every single Canadian who wants to work has a job.

Let me remind the member opposite of what the NDP voted against. It voted against the family caregiver tax credit, the children's arts tax credit, the volunteer firefighters tax credit and tax relief for the manufacturing sector, something he purports to support. Why will he not stand up and support the good measures that would help job creation and economic growth?

\* \* \*

**HEALTH**

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, the government has failed to deliver on accountability under the current health accords. There is still time to fix that. We have at least two more years, in fact, for the government to deliver on its promises. Canadians do not have the information the federal government promised they would have on what was or was not achieved under the current health accords.

Will the Conservatives agree to bring in a full accounting, now, so that Canadians can have a meaningful debate on what the next health accord should accomplish for this country?

● (1120)

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, as the member knows, there have been issues of accountability with the original 2004 accord that was negotiated by the Liberals. However, there is good news: the Minister of Health is having the opportunity to meet with her colleagues from the provinces and territories today to discuss what we have learned from that 2004 health accord.

Our government is committed to the escalation of the 6% to the provinces and territories. We are committed to a universal and publicly funded health care system and to the Canada Health Act. The upcoming discussions will be about just what the member is asking for: accountability; results for Canadians, including better reporting—

**The Speaker:** Order, please.

The hon. member for Windsor—Tecumseh.

*Oral Questions*

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, the commitment on accountability was made in the last health accord.

We have spent \$160 billion under the current accords. Are Canadians getting value for that money? The truth is that the Conservatives have failed to live up to the current accord. They failed to ensure proper reporting on what we got for that spending.

The meetings in Halifax are not going to advance that. The Conservatives just did not do the work. If the Conservatives are able to demonstrate some leadership and accountability, why not do it right now, rather than three years from now?

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, we are showing leadership. If we compare how the Liberals negotiated with the provinces with how our government has, if we remember correctly, they started by cutting \$25 billion out of transfers. I do not know if the member has had the opportunity to negotiate with the provinces, but he should not start off that way; it does not put them in a very good mood.

We are starting two and a half years ahead of time. We are going to be discussing exactly what the provinces are finding on the ground and working with them to put those benchmarks in, to put accountability in and to put innovation in, because that is what Canadians want from their governments.

[Translation]

**Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP):** Mr. Speaker, when it comes to health accords, the federal government's role goes beyond just reaching for its chequebook.

We still have not seen much progress on the government's commitments with regard to electronic health records, a national pharmaceutical strategy, and access to health care for aboriginal people.

When will the government stop denying it has failed when it comes to the health accords? Where is the necessary leadership for improving our health care system?

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, if we read between the lines, it is clear that the NDP would like to interfere in provincial jurisdictions. In contrast, our government is respecting provincial jurisdictions by increasing support for health care systems by more than 30%, unlike the NDP, which would like to increase federal bureaucracy and unions.

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[English]

## CANADA-U.S. RELATIONS

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, Canadians are very disturbed by the government's refusal to stand up to the U.S. and protect Canadian interests. Thousand of Stelco employees have been out of work for over three years because the Conservatives failed to set out clear takeover criteria under the Investment Canada Act.

The government promised over a year ago to define the net benefit test. Why has the minister failed to live up to that promise? Why has he failed to defend Canadian jobs?

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, the government defends Canadian jobs each and every day. We referred this important issue to the industry committee so that it could take the time to study the issue and report back to government. What happened? What stopped the industry committee? It was the Liberal Party of Canada that voted to call an early opportunistic election, rather than allowing the industry committee to do its important work.

If we had not had an early election, the industry committee would have finished its good work.

[Translation]

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, the fact that the Conservative government has not been defending Canadian interests is very disturbing.

The Conservatives buried their heads in the sand when the United States was moving ahead with its Buy American policy and so many other irritants. Now they are on the verge of signing a perimeter security agreement with the Americans.

Why is the Prime Minister getting ready to sign this agreement on December 7 when so many issues remain unresolved? Why kowtow to the United States?

[English]

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, if the member opposite had his way, he would not sign any agreement until every challenge had been dealt with.

We have a good working relationship with the Obama administration under the Prime Minister's leadership. He has been working incredibly hard to try to take down barriers that hurt Canadian jobs.

Sometimes in the manufacturing sector parts will go back and forth as many as 7 to 12 times. These border problems have a huge impact on the Canadian economy, and the Prime Minister has been working incredibly hard to tear down these barriers to protect and promote Canadian economic growth. No final deal has been reached but, under the Prime Minister's leadership, I am confident it will.

\* \* \*

• (1125)

## EMPLOYMENT INSURANCE

**Mr. Scott Simms (Bonaville—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, at committee yesterday, the Minister of Human Resources was caught misleading the Canadian public. She was asked point blank if she stood by her statements about how long it takes the average Canadian to receive an employment insurance cheque. She said, yes, that she stood by her statement. Minutes later, the head of Service Canada came as a witness and said that she was actually wrong.

Would the minister rise in the House, apologize to 1.4 million unemployed Canadians today and reverse the decision about cutting the EI processing centres across this great country?



*Oral Questions*

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, our goal is to get EI cheques to people who are qualified for them just as quickly as possible. We have a standard. It is 28 days 80% of the time, and we are just a little below that right now.

I apologize if there was any confusion when the member opposite did not understand what all went into that statistic. However, we are changing the system because we want to improve it. We want to deliver services to Canadians better, faster, more efficiently and more affordably.

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[Translation]

**ABORIGINAL AFFAIRS**

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, the Attawapiskat First Nation declared a state of emergency four weeks ago. Families are living in tents, in shacks and in trailers. People are in danger because of cold temperatures, yet no federal official has bothered going to see the community.

Yesterday, the government promised \$2 million in assistance. Can the government confirm this and does it have a long-term plan to improve the situation in Attawapiskat?

[English]

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, we are deeply concerned about the situation. The community is facing a number of challenges. We have had ongoing discussions with the chief and council in order to make progress on addressing these issues. My officials will be in the community early next week to discuss the next steps.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, Attawapiskat is a community that has tried to do things right and yet it has continued to fall behind from chronic underfunding and systemic negligence in terms of infrastructure, education, housing and health. The situation is causing an international outcry and Canadians are rightly wondering how this can happen in a country as rich as Canada.

Will the government commit to take the lead with eight officials and with the community to fix the situation in Attawapiskat so that we can return to the community to the kind of dignity that these people deserve?

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, we are taking this situation seriously. The community has a number of challenges, one of them being its financial challenge. It is in co-management. It has an indebtedness that is getting in the way of a lot of other progress that could be made.

Part of our overall next steps is to get to a place where proper local administration and governance can ensure there is progress being made in the community.

[Translation]

**NATIONAL DEFENCE**

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, it took hearing the testimony of representatives of the Norwegian government yesterday at the Standing Committee on National Defence for people to realize that the Associate Minister of National Defence cannot add. Norway expects to pay \$10 billion U.S. for just 52 F-35s and another \$42 billion for maintenance over 30 years. That is five times more than what this government says it will have to pay.

Since the Conservatives' numbers are simply wrong, should we be asking the Norwegian government to do our math for us?

[English]

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, that is as onerous a statement as I have ever heard. Comparing our situation with Norway's situation is a quick fix that goes nowhere.

This morning, I met with a secretary from Norway. We discussed the issue broadly. Canada's program is on track, and our figures reconcile. The member needs to do her homework.

• (1130)

[Translation]

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, this week, the Auditor General indicated that the government does not even have enough money to ensure basic maintenance of our aircraft. According to the Norwegian government's realistic cost calculations, an estimated \$40 billion will be required over 30 years to maintain 52 F-35s. It seems that this government is trying to fob off its miscalculations to future generations.

Will this government stop misleading Canadians and show us the real numbers?

[English]

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, the excitement is overwhelming indeed.

I will just quote the minister from Norway, who stated categorically, among other things, "I want to say that my government is strongly committed to the F-35s". He has also encouraged us. We will stay with that program.

Our budget for the purchase of F-35s remains on track and the figures are calculated accurately. The member opposite needs to do her own math to get to the bottom of what she is alleging, which is not true.

**Mr. Matthew Kellway (Beaches—East York, NDP):** Mr. Speaker, the associate minister is making facts up as he goes along.

Yesterday he claimed that his F-35s would be able to communicate with our ground troops as soon as we get them, but his own department says that is simply not true, putting our troops at risk of friendly fire.

The associate minister is in way over his head. Will he finally put this contract out to tender so our troops are not stuck with planes that put them in danger?

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, the only danger here is the rhetoric coming from the opposite side.

Contrary to the member's misrepresentation, the facts are that Canada is scheduled to receive its delivery of F-35 aircraft, equipped with the ability to locate and communicate with other aircraft and know where friendly ground units are well in advance of deployment on operation.

Our plan is on track. Things are working. The aircraft are coming off the production line. They are being flown and delivered to partner countries as we speak.

**Mr. Matthew Kellway (Beaches—East York, NDP):** Mr. Speaker, there is a mountain of evidence from multiple reliable sources that contradicts what the associate minister tells the House every day. The associate minister is at odds with his own minister, his own ministry and now with our allies.

Yesterday, the Norwegians told us that they expect to pay five times what the Conservative government will pay for the F-35s, \$40 billion for 13 fewer planes, and they acknowledge that it may go up.

How did Canada qualify for an 80% discount, or is the minister just making these numbers up?

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, all reasonable people agree that we need the aircraft to defend Canadian sovereignty. Our plan is on track, and we will provide the air force with the equipment it needs to defend that sovereignty.

If the opposition had its way, it would cancel the equipment that our air force agrees is the best for it to do its job safely and effectively, never mind the reference to our men and women.

This government is the one that has been rebuilding the equipment and providing the resources that our air force and military people need and we will keep on doing it.

\* \* \*

[Translation]

## OFFICIAL LANGUAGES

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, this government announced very quietly the establishment of an advisory committee to determine whether it is possible to work in French in federally regulated businesses in Quebec. We do not know who will sit on this committee, which businesses will be targeted, what timeframe will be set and, more importantly, whether the committee's report will be released. The New Democratic Party did its homework and has already drafted a bill on this issue.

Why waste time, instead of simply supporting our initiative?

• (1135)

**Hon. Maxime Bernier (Minister of State (Small Business and Tourism), CPC):** Mr. Speaker, when it comes to French, we will not take lessons from the NDP. It is important to promote French and also English. We are a bilingual country and I am proud to be a Canadian.

## Oral Questions

As regards the legislation, our government always passes laws that are based on facts. We will see what is going on in Quebec before supporting any bill.

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, that is nice rhetoric. The government is really dragging its feet, improvising and trying to create a distraction. If setting up a committee were such a good idea, the government would have done it during the previous session, when the hon. member for Outremont introduced a similar bill.

This government is constantly showing a lack of respect for francophones in Quebec and across Canada. We know that some federally regulated private companies in Quebec, such as National Bank and Air Canada to name only two, do not care about French in the workplace.

The NDP is proposing concrete measures. Will the government stop trying to save face and work with us to settle this issue?

**Hon. Maxime Bernier (Minister of State (Small Business and Tourism), CPC):** Mr. Speaker, as I said earlier, the committee will look at the facts and then report to Canadians. The most important thing for us is that we live in a bilingual country and we must promote the two official languages of that country. This is what we are going to do.

**Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP):** Mr. Speaker, this nice rhetoric is fine, but there is no need to redo the job 10 times. The issue of French in federally regulated private businesses was reviewed in depth a long time ago. This is evidenced by the fact that, today, the NDP is introducing a bill on this issue and it will be debated this afternoon.

Will the government support us in our efforts to quickly pass this legislation? Does it prefer to waste time and taxpayers' money by setting up another committee?

**Hon. Maxime Bernier (Minister of State (Small Business and Tourism), CPC):** Mr. Speaker, I am disappointed to hear the opposition member talk about wasting time. Taking a close look at an issue before making a decision is not wasting parliamentarians' time.

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[English]

## INFRASTRUCTURE

**Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.):** Mr. Speaker, without a plan and without rules, documents reveal that the government has been spending millions on border infrastructure projects in Quebec, Ontario and the Atlantic inappropriately.

In Atlantic Canada, the government has been promising such a strategy, the Atlantic gateway strategy, since 2007. It was not until March 2011 that the government finalized and posted these rules and only after a quarter of a billion dollars had already been spent.

Transport Canada's departmental performance report reveals what the minister will not, that the gate to the Atlantic gateway is now closed. The funds are all gone.

How does the minister explain this mismanagement—



*Oral Questions*

**The Speaker:** The hon. Parliamentary Secretary to the Minister of International Trade.

**Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC):** Mr. Speaker, nothing could be further from the truth. We continue to work on the Atlantic gateway strategy.

For the edification of the member opposite, he should recognize that St. John's, Newfoundland, is in a perfect position to become the gateway to the northern part of Canada. There is great potential not just for an Atlantic Canadian gateway but for a northern gateway for Newfoundland, which we will continue to work on with our colleagues from Atlantic Canada.

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[Translation]

**HEALTH**

**Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.):** Mr. Speaker, during question period yesterday, when the government was asked what it planned on doing to resolve the problem with prescription drug shortages, it responded that it was prepared to look at regulations if no other methods were effective.

My question is simple: can the minister tell the House what regulations the government is considering imposing to resolve this worrisome problem?

[English]

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, again, I disagree with the premise of the question.

Our government is taking a leadership role in the world. The minister has spoken to the drug companies, and I am pleased to report to the House that the companies have responded positively to her request. Information about the drug shortages will soon be available on public websites, giving patients and medical doctors the information they need to make the proper decisions.

Final details are still being worked out, but I am very encouraged to see how the industry has responded to these concerns.

**Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.):** Mr. Speaker, the question was about regulations and how those were going to change.

In 2004 the health accord created innovative solutions to the real problems facing the health care system, including a national pharmaceutical strategy to make sure that prescription drugs were safe and available for everyone who needed them.

However, the Conservatives killed this plan which, as the Auditor General pointed out this week, has prevented many life-saving drugs from reaching the market while keeping many unsafe drugs on pharmacy shelves.

As negotiations on the next health accord begin, will the government admit its error and bring forward a plan to ensure that Canadians have a safe, affordable supply—

• (1140)

**The Speaker:** The hon. Parliamentary Secretary to the Minister of Health.

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, first of all, Canadians can be assured that we have one of the safest drug supply systems in the world.

The member brought up the Auditor General. We actually agree with the Auditor General's findings. Work is already under way to address the concerns of the Auditor General. For example, we have already taken steps to ensure that drug reviews are done in a thorough and timely manner.

The health and safety of Canadians is a priority for our government. It is obvious that a better process needs to be put in place to ensure that the products on the market are safe, efficient and reliable for all Canadians. We are committed to that.

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**INTERNATIONAL CO-OPERATION**

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, last year when Canadians heard that CIDA would be streamlining the application process for developing programs, they expected improvement.

It turns out that for Conservatives, streamlining just means delaying. Fifty groups have waited for over three months to hear whether they are getting the funding. Critical programs in developing countries are being cut.

Why is the minister putting these important development projects at risk?

**Ms. Lois Brown (Parliamentary Secretary to the Minister of International Cooperation, CPC):** Mr. Speaker, the government is committed to assistance that is effective, focused and accountable.

We ensure each project is an effective use of taxpayers' dollars. The amount of time to review proposals varies, depending on the overall number of applications and the size, complexity and risks associated with each proposal.

The proposals are under consideration. I cannot comment further until the due diligence and evaluation process is completed.

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, these people are trying to help the world's poorest, and all they get from the government is doublespeak and off-base attacks.

CIDA was four months past its own deadline, waiting for a media event, to announce the Muskoka initiative funding. The International Aboriginal Youth Internships were timed so the minister could announce them on a particular day.

Why is the minister more interested in flashy press conferences than actually getting the job done?

*Oral Questions*

**Ms. Lois Brown (Parliamentary Secretary to the Minister of International Cooperation, CPC):** Mr. Speaker, no organization is entitled to receive taxpayers' dollars indefinitely.

Our responsibility is to Canadian taxpayers. It requires us to ensure that the official development assistance is more effective, more focused and more accountable.

The proposals are under consideration, and I will not speculate on when the due diligence and evaluation process will be completed.

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**GOVERNMENT EXPENDITURES**

**Mr. Mathieu Ravignat (Pontiac, NDP):** Mr. Speaker, the president of the Treasury Board appeared before the government operations committee yesterday to explain holes in the government's spending estimates. As we have come to expect from that minister, we received a lot of runarounds, but few answers.

However, the minister did confirm that Conservatives are throwing away \$20 million on private sector slashing experts and threatening to shut down entire programs.

My questions is the following. Which programs and services that Canadian families rely on are on the chopping block of their private consultants?

**Mr. Andrew Saxton (Parliamentary Secretary to the President of the Treasury Board and for Western Economic Diversification, CPC):** Mr. Speaker, Canada is not immune to the problems facing other countries. Reckless spending and out of control debt are key causes of problems in other countries today.

Canadians gave us a strong mandate to protect and complete Canada's economic recovery. Our government has a plan to keep taxes low, focus on jobs for Canadians, and growing the economy.

[Translation]

**Mr. Mathieu Ravignat (Pontiac, NDP):** Mr. Speaker, this government should put its rhetoric aside and think about the families who need government services. Departments are announcing huge cuts without telling us where they will be made. Human Resources and Skills Development Canada, Infrastructure Canada, Industry Canada and Fisheries and Oceans Canada have all announced cuts, but they are not saying where the millions will be cut.

Before wasting \$20 million on private contracts, will the government ensure that it understands what is going on in its own departments?

[English]

**Mr. Andrew Saxton (Parliamentary Secretary to the President of the Treasury Board and for Western Economic Diversification, CPC):** Mr. Speaker, under our government, Canada has created nearly 600,000 new jobs. Canadians gave us a strong mandate to protect and complete Canada's economic recovery. While the opposition is calling for higher taxes that would kill jobs and hurt the economy, our government has a plan to keep taxes low, focus on jobs for Canadians, and growing the economy.

Reckless spending and out of control debt are the key problems facing other countries today and we do not intend to follow that path.

• (1145)

**DAIRY INDUSTRY**

**Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC):** Mr. Speaker, today the Supreme Court prevented Saputo and Kraft Canada from challenging the cheese compositional standards that our government brought in a few years ago. This will ensure that processors continue to use real Canadian milk in the production of Canadian cheese.

Could the Parliamentary Secretary to the Minister of Agriculture please update the House on what this decision means for consumers and supply managed farmers in the dairy sector?

**Mr. Pierre Lemieux (Parliamentary Secretary to the Minister of Agriculture, CPC):** Mr. Speaker, in 2008 our government introduced a cheese compositional standard to ensure that real Canadian milk was used in the production of Canadian cheese. This decision by the Supreme Court is beneficial to both consumers and Canadian dairy farmers because it ensures that our world-class cheese continues to be made with world-class milk.

This is yet another example of how our government stands up both for consumers and our supply managed farmers. It demonstrates clearly that we put farmers first.

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**ASBESTOS**

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, the jig is up for the asbestos industry. After spending hundreds of millions of dollars subsidizing this industry and trying to block international efforts to curb its use, the last remaining asbestos mine is finally on the ropes.

Instead of shovelling even more corporate welfare into this deadly and dying industry, why do the Conservatives not use that money for economic development in the region to help those people transition out of this deadly and dying industry into an industry with a future?

[Translation]

**Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services, for Official Languages and for the Economic Development Agency for the Regions of Quebec, CPC):** Mr. Speaker, for more than 30 years, the Government of Canada has been promoting the safe, controlled use of chrysotile both here and abroad. All of the scientific studies have shown that chrysotile can be used safely in a controlled environment.



*Oral Questions*

**Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP):** Mr. Speaker, the Conservatives' broken record will not create any jobs tomorrow morning. By passively watching the industry slowly die —just as people are dying of respiratory illnesses in India and other developing countries—the government has turned its back on asbestos workers and an entire region's economy. Asbestos production has stopped and workers are finding themselves without jobs and without a transition program.

Is this government so pro-cancer that it cannot recognize that it is making the wrong choices by trying to make people believe that there is still a future for this industry?

**Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services, for Official Languages and for the Economic Development Agency for the Regions of Quebec, CPC):** Mr. Speaker, all the scientific studies have shown that chrysotile can be used safely in a controlled environment. We on this side of the House have nothing to learn from the party on the other side, whose members do not even know what is going on in Quebec's economic regions.

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[English]

**SENIORS**

**Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP):** Mr. Speaker, the government is failing Canadian seniors. It consistently refuses to put in place measures that would allow our seniors to age with dignity. On pensions, it offers retirement roulette. On GIS, the government offers little. On affordable housing and health care, the government offers absolutely nothing.

Why does the government refuse to defend the dignity of Canadian seniors?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, the opposite is what is true. In fact, it is our government that increased the earnings exemption for the GIS from \$500 to \$3,500. It was our government that brought in pension income splitting to help seniors lower their taxes so they would have more money to spend. It was our government that invested \$400 million in affordable housing under the economic action plan just for seniors.

The list goes on and on, but we only have a short period of time. I suggest, though, that the NDP, instead of railing against it, should actually have supported some of these measures.

[Translation]

**Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP):** Mr. Speaker, I want to have a dialogue on the current needs of seniors, but this government is changing the subject to avoid answering the question, which is worrisome. I guess the minister does not realize that not every senior is going to have a pension as cushy as his.

FADOQ, the largest seniors' organization in Quebec, personally told me that many seniors simply do not have access to the services they need. FADOQ is disappointed by this government's false promises, as are we.

How can seniors trust this government if the only thing it can offer is feigned indignation and empty promises?

● (1150)

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, we have done a lot for our seniors, those who built this great and wonderful country. Unfortunately, the New Democratic Party has opposed every one of our efforts to help seniors. For example, yesterday, an NDP MP insulted every senior in Canada. That is unacceptable.

\* \* \*

[English]

**TAXATION**

**Hon. Lawrence MacAulay (Cardigan, Lib.):** Mr. Speaker, the government has fought 752 ground fishers in court over the last five years over millions of dollars that are owed in back taxes to the fishers. After the government lost the court case, it has reluctantly agreed to settle. The problem is there are over 1,400 other fishers involved in the same program who are owed millions of dollars in back taxes.

Will the government commit right now to pay back every single tax dollar that is owed to the ground fishers?

**Mrs. Cathy McLeod (Parliamentary Secretary to the Minister of National Revenue, CPC):** Mr. Speaker, service to all Canadians is important, and we have acted immediately after the court decision. We created a dedicated team to review each of the fishers' requests, and our expectation is that reassessments will begin to be issued in the coming weeks.

I would, however, like to point out that the member for Cardigan was at the cabinet table, and was really a member when the previous Liberal government came up with a poorly worded policy that led to confusion and a decade of unfortunate legal battles.

**Hon. Lawrence MacAulay (Cardigan, Lib.):** Mr. Speaker, I am sorry, but the parliamentary secretary is wrong. It is the Conservative government that has fought fishers in court for five years—

**Some hon. members:** Oh, oh!

**The Speaker:** Order. The hon. member for Cardigan has the floor.

**Hon. Lawrence MacAulay:** They hate to hear this, Mr. Speaker, but when the government lost the court case this year, the minister waited to the very last possible day before telling the fishers she would not appeal the case, fighting them tooth and nail to the last drop.

Now there are over 1,400 other fishers in this program who have not received this money. Will the government assure the fishers today that they will be paid the millions of dollars owed to them, along with the 752 who have won the court case after five years?

**Mrs. Cathy McLeod (Parliamentary Secretary to the Minister of National Revenue, CPC):** Mr. Speaker, again, it is unfortunate that the Conservative government is having to clean up the Liberal mess on this issue.

However, I do want to reassure the House, because it is very important for the fishers, that a dedicated team has been set up to review each of the fishers' requests. Our expectation is that the reassessment will begin to be issued in the upcoming weeks.

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## HEALTH

**Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP):** Mr. Speaker, Conservatives promised there would be no cuts to the Public Health Agency of Canada, but now they have said there will be new criteria and a new application process for HIV-AIDS funding. The clock is ticking, yet the Conservatives still have not said what those criteria are, or even how to apply.

HIV-AIDS community organizations are now concerned they will have to close their doors and cut community services before they can even submit applications. Why are the Conservatives putting HIV-AIDS community services at risk?

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, I want the member to know that I disagree with him. I am very proud of the work this government has accomplished in helping combat HIV-AIDS not only in Canada but in the world. The Canadian HIV vaccine initiative, for example, CHVI, led by our government along with the Bill and Melinda Gates Foundation, highlights Canada's world-class HIV and vaccine research expertise. This initiative will help our government advance the science for the development of a safe and effective HIV vaccine. In addition, last year alone our government provided \$42 million in HIV-AIDS research funding through CIHR.

[Translation]

**Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP):** Mr. Speaker, HIV-AIDS organizations rely on this funding to offer help to Canadians. These organizations have already waited much longer than usual to get confirmation from the government that their funding would indeed be renewed.

Is this another example of the government's mismanagement, like all the other examples the Auditor General raised this week? Does this government plan to withdraw funding from HIV-AIDS organizations or not?

[English]

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, I suppose the member did not hear my answer. Our government has taken a leadership role and has made unprecedented investments into research for people who have HIV and AIDS. The sad thing about it is each and every time we do that, NDP members stand in the House and vote against it. That is the sad state of affairs that this party has to deal with. We are committed to helping people who need help in our country and around the world with HIV and AIDS.

\* \* \*

## MARINE ATLANTIC INC.

**Mr. Joe Daniel (Don Valley East, CPC):** Mr. Speaker, Marine Atlantic Inc. offers commercial and passenger ferry services between

## Oral Questions

the provinces of Newfoundland and Labrador and Nova Scotia. This is a vital service to those people living on Canada's eastern coast.

On November 28 at one minute after midnight, Marine Atlantic Inc. and the National Automobile, Aerospace, Transportation and General Workers Union of Canada, Local 4285, will acquire the legal right to strike or lock out. Can the Minister of Labour provide an update to the House on the situation with Marine Atlantic Inc.?

**Hon. Lisa Raitt (Minister of Labour, CPC):** Indeed, Mr. Speaker, Canadians have given our government a strong mandate to focus on the economy and to make sure that we do what we can to help Canada's recovery.

In the case of Marine Atlantic, we are referring the matter to the Canadian Industrial Relations Board for its ruling on whether any activities need to be maintained because the ceasing of the activities would pose an immediate and serious danger to the public health and safety for the people of Newfoundland and Labrador. I made that referral today.

\* \* \*

## UKRAINE

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, as we recall the Holodomor genocide in Ukraine nearly 80 years ago, we are also concerned about the fragile state of Ukrainian democracy today. Interference in the legal system is used to stifle free political activity and now some mysterious illness seems to have befallen the leader of the opposition.

Will the Canadian government press Ukrainian authorities to allow Ms. Tymoshenko independent medical treatment? Will Canada offer to provide that treatment if necessary and will Ukraine be warned that anything untoward happening to Ms. Tymoshenko would severely affect relations with Canada?

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, I want to say to the member for Wascana that is probably the best question we have had all day. I completely agree with him that we are tremendously concerned about the political prosecution of the former leader of the opposition there. We are tremendously concerned about her well-being. I will certainly endeavour to follow up to ensure that Canada speaks strongly, that she get the medical care that she needs. If necessary, we would certainly be prepared to offer her support here in Canada.



*Oral Questions**[Translation]***LAPIERRE ISLAND**

**Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP):** Mr. Speaker, Environment Canada determined that the real market value of Île Lapierre was \$14 million. A year earlier, the value of the island was estimated at \$400,000. This island is essentially a dump. It has no ecological value. All of the officials who have worked on this file have said that it has no value. Yet businessman Alfonso Argento received \$14 million in tax credits for this island. Fourteen million dollars for him, and \$15 million for 85,000 volunteer firefighters. It is clear that the Conservative Party's friends are more important than volunteer firefighters.

*[English]*

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, I did hear something about tax credits for volunteer firefighters, and that gives me the opportunity to remind all members in the House that it was only this side of the House that actually voted for that measure the other night. The NDP, and in fact all of the opposition, voted against it.

There are a lot of things wrong in the world. What we can do is help Canadians right now. We have offered Canadians incentives to get people back to work and tax credits to help them, but every time we do, those members vote against it.

\* \* \*

**TRADE**

**Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** Mr. Speaker, our government's international focus continues to be deepening our trade relationships. Increased trade creates economic growth and jobs here in Canada. With one in five Canadian jobs generated by trade, this is a no-brainer. Despite these clear benefits, the NDP continues to lobby against the creation of Canadian jobs.

Could the parliamentary secretary please explain to the House how the NDP views trade?

**Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC):** Mr. Speaker, the reality is that the NDP pretends to be mainstream, but its anti-trade agenda has no credibility.

Here is how the NDP views trade: exports means sending NDP MPs abroad to lobby against Canadian jobs; imports means flying socialists to Canada to criticize Canadians working in our oil sands.

The NDP's anti-trade, anti-Canadian jobs agenda is proof that the NDP is unfit to be the official opposition.

\* \* \*

● (1200)

**THE ENVIRONMENT**

**Mr. Kennedy Stewart (Burnaby—Douglas, NDP):** Mr. Speaker, we have seen what happens when the government and industry do not consult on major projects like the northern gateway.

The coastal first nations have made clear their opposition to the project and process. Now Kinder Morgan is proposing to double the Trans Mountain pipeline that would run through at least 15 first nation reserves and 30 traditional territories. Failure to negotiate in good faith has left a cloudy picture of rights and title in British Columbia.

When will the minister commit to government-to-government talks with the affected first nations?

**Hon. Joe Oliver (Minister of Natural Resources, CPC):** Mr. Speaker, the Minister of the Environment has referred the northern gateway pipeline project to a joint review. It is the highest level of scrutiny possible. The review is an open and independent process whereby interested parties, including aboriginal groups, can freely express their views.

Our government, as the member knows, supports the diversification of our exports; however, we are committed to ensuring that any project is environmentally sustainable.

\* \* \*

*[Translation]***LANGUAGE OF WORK IN QUEBEC**

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, the Conservative government was doing magic tricks yesterday to try to get people to forget its recent appointments of unilingual anglophones. By launching a consultative committee whose mandate and composition are not yet known—nor is it known whether this committee will report to Parliament—the government is embarking on useless consultations, since the problem is well known. I have a very simple suggestion that will save the government time and money: pass the only bill that the Bloc Québécois has ever introduced in this House, which makes employees of federally regulated businesses in Quebec subject to Bill 101. It is important to point this out.

Will the government stop waffling and really protect French as the language of work in Quebec?

**Hon. Maxime Bernier (Minister of State (Small Business and Tourism), CPC):** Mr. Speaker, we will continue promoting and protecting the French language, not just in Quebec, but also in Canada. The government announced that it will launch a consultative committee that will work on the ground to speak with Canadians and ensure that employees of federally regulated businesses in Quebec are fully able to work in French. We will examine the facts and take action if necessary.

## ROUTINE PROCEEDINGS

[English]

### PROTECTING CANADIANS ABROAD ACT

**Hon. Irwin Cotler (Mount Royal, Lib.)** moved for leave to introduce Bill C-359, An Act to Protect Canadian Citizens Abroad.

He said: Mr. Speaker, I am pleased to introduce a bill to protect Canadian citizens abroad in support of the foundational principle that all Canadian citizens, without discrimination, who are detained, stranded or captured, or who have disappeared abroad, deserve the protection of the Government of Canada.

There are a number of high profile cases, including those of Maher Arar, Omar Khadr and Abousfian Abdelrazik, and those who were the subject of the Iacobucci commission report, Abdullah Almalki, Ahmad Abou-Elmaati and Muayyed Nureddin, as well as the related jurisprudence, that have underscored the need for legislation. This legislation would set forth both the rights of Canadian citizens as well as the threshold obligations of the Government of Canada and its consular services.

Accordingly, this legislation, the first ever of its kind in Canada, would affirm these rights and obligations, including rights to consular access, consular visits and repatriation; reporting requirements for Canadian officials when they suspect a Canadian detained or captured abroad has been or may be tortured; and requiring that the government request the repatriation of a Canadian detained abroad in situations where there are reasonable grounds to believe that the Canadian has been or may be tortured, is being subjected to conditions constituting cruel or unusual punishment, or is being arbitrarily detained.

I would like to thank the member for Saint-Léonard—Saint-Michel for seconding the bill. I trust it will be supported by all members in the House.

(Motions deemed adopted, bill read the first time and printed)

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●(1205)

### CANADIAN FOOTBALL ACT

**Mr. Peter Julian (Burnaby—New Westminster, NDP)** moved for leave to introduce Bill C-360, An Act to support Canadian professional football.

He said: Mr. Speaker, I am pleased to rise in the House to present a bill, an act to support Canadian professional football.

From coast to coast to coast, Canadians' eyes will be riveted on Vancouver this weekend for the 99th Grey Cup, where the BC Lions will take on the Winnipeg Blue Bombers from eastern Canada.

I know there are Blue Bombers fans in the House. Of course, I am a BC Lions fan, and last weekend I was pleased to see, in BC Place stadium, a sea of orange, of supporters coming out for the BC Lions. Of course, I am mighty partial to orange, and waves of orange. It was great to see that many people in BC Place stadium.

What the Canadian Football League does is very important. It has the right balance. It is not multi-millionaires playing, but mainly guys who have worked all their lives, often with other jobs, but

### Routine Proceedings

through their love of football, continue to push forward and to represent their communities. On behalf of football fans across the country, I am presenting this bill that would allow the Canadian Football League to continue to prosper right across the country for future generations.

[Translation]

Long live the Canadian Football League!

[English]

(Motions deemed adopted, bill read the first time and printed)

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### COMMITTEES OF THE HOUSE

#### INTERNATIONAL TRADE

**Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC):** Mr. Speaker, there have been consultations on this following motion for travel. I move:

That, in relation to its study on the Comprehensive Economic and Trade Agreement (CETA) with the European Union, six members of the Standing Committee on International Trade be authorized to travel to Brussels, Belgium and Paris, France in the fall of 2011 and that the necessary staff accompany the Committee.

(Motion agreed to)

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### PETITIONS

#### ASBESTOS

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, I have the honour to table today a petition signed by literally thousands of Canadians from all across Canada who call upon Parliament to take note that asbestos is the greatest industrial killer the world has ever known. In fact, they point out that more Canadians now die from asbestos than all other industrial or occupational causes combined. Yet Canada remains one of the largest producers and exporters of asbestos in the world, spending millions of dollars subsidizing the asbestos industry and blocking international efforts to curb its use.

Therefore, these petitioners call upon the Government of Canada to ban asbestos in all of its forms, institute a just transition program for asbestos workers and the communities they live in and end all government subsidies of asbestos, both in Canada and abroad. They call upon the Government of Canada to stop blocking international health and safety conventions designed to protect workers from asbestos, such as the Rotterdam convention.

#### PREVENTING HUMAN SMUGGLERS FROM ABUSING CANADA'S IMMIGRATION SYSTEM ACT

**Mr. Stephen Woodworth (Kitchener Centre, CPC):** Mr. Speaker, I rise today to present a petition to this House from some of my constituents in Kitchener Centre regarding Bill C-4 on human smuggling. I do so not because I necessarily agree with the petition but because I think everyone has a right to have his or her voice heard in this House.



### *Business of Supply*

These constituents believe that Bill C-4 would place refugees in detention only because they are seeking safety in Canada, and they do not see any other reason. Therefore, the petitioners think that would be arbitrary. They believe that Bill C-4 would place accepted refugees in limbo for five years, preventing them from seeing family members, travelling outside of Canada or integrating into Canadian society because they are not permanent residents. They believe that this measure is intended to punish refugees and they see no other reason for it.

The petitioners also believe that smuggling is already punishable by life imprisonment or by a fine of up to \$1 million under the Immigration and Refugee Protection Act. For that reason, they call on the government to withdraw Bill C-4.

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### QUESTIONS ON THE ORDER PAPER

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, the following question will be answered today: No. 177.

[Text]

Question No. 177—**Mrs. Carol Hughes:**

With regard to the purchase of insured mortgages by Canada Mortgage and Housing Corporation (CMHC): (a) how many mortgages purchased by CMHC have defaulted, broken down by (i) relative value of the mortgage, (ii) date of default; and (b) how many mortgages purchased by CMHC are in arrears, broken down by (i) relative value of the mortgage, (ii) number of months in arrears?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, Canada Mortgage and Housing Corporation, CMHC, has been at the forefront of mortgage securitization since 1986, when the corporation introduced National Housing Act mortgage-backed securities.

During the global economic crisis in 2008, it was harder for major financial institutions to secure short- and long-term financing and for Canadian consumers to obtain mortgage financing for property purchases. To help Canadian financial institutions raise longer-term funds and make them available to consumers, home buyers and businesses in Canada, in October 2008 the federal government introduced the insured mortgage purchase program, IMPP. Under this program, CMHC purchased securities consisting of pools of insured residential mortgages from Canadian financial institutions. These were high-quality assets backed not only by the overall strength of Canada's housing market but also by the government's own guarantee of the insured mortgages.

The total program envelope, initially \$25 billion, was increased to \$75 billion in November 2008 and then to \$125 billion when budget 2009 was tabled. Thus CMHC, on behalf of the Government of Canada, was authorized to purchase up to \$125 billion in National Housing Act mortgage-backed securities from Canadian financial institutions. The National Housing Act allows CMHC to make investments of this nature as part of its commercial activities.

When the IMPP came to an end on March 31, 2010, CMHC had expended \$69.4 billion of the up to \$125 billion available for purchase of mortgage-backed securities. This program was instrumental in moderating the impact of the global financial crisis on

credit conditions in Canada and helping ensure continued access to credit for Canadian consumers and businesses.

All of the National Housing Act mortgage-backed securities purchased by CMHC under the IMPP are backed by high-quality residential mortgages that are insured through CMHC or private insurers, Genworth Financial and Canada Guaranty. As a result, there is no additional risk to taxpayers or to CMHC. This was an efficient, cost-effective and safe way of providing secure and reliable long-term funding to Canada's financial institutions that benefits Canadian households, businesses and the economy.

To date IMPP has not incurred any losses on its National Housing Act mortgage-backed securities purchased investments from Canadian financial institutions.

In response to (a), there were approximately 662,948 mortgage loans backing the National Housing Act mortgage-backed securities when they were originally issued, which were purchased by CMHC under the IMPP, and there are approximately 332,762 mortgage loans remaining. Of the total number of mortgage loans purchased by CMHC under the IMPP, 2,595 have defaulted. However, mortgages that CMHC purchased under the IMPP are insured against mortgage default, either by CMHC or one of the private mortgage insurers. As such, any losses on defaulted mortgages can be claimed against their mortgage insurance policy. CMHC is compensated by the mortgage insurers and as a result has had no losses under the IMPP program.

CMHC is unable to provide the additional information requested under (i) and (ii) as the data are held, in part, by third-party private insurers.

In response to (b), the percentage of loans in arrears by three or more months under the IMPP is 0.478%, which is comparable to the Canadian Bankers Association arrears rate which, in August 2011, was at 0.40%.

• (1210)

[English]

**Mr. Tom Lukiwski:** Mr. Speaker, I ask that the remaining questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

## GOVERNMENT ORDERS

[Translation]

### BUSINESS OF SUPPLY

OPPOSITION MOTION—CLOSURE AND TIME ALLOCATION

The House resumed consideration of the motion.

**Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.):** Mr. Speaker, I wish to inform you that I will share my time with the hon. member for Bonaville—Gander—Grand Falls—Windsor.

I find it a little sad that, with this government, we always start with the end instead of the beginning. Regardless of what we may think, this government does what it wants and cares little about parliamentary procedures and tradition.

Since the last election, we are seeing too much abuse. This government is abusing its majority, thinking that with the support of 39% of Canadians it can do anything. And this is an inflated number because it does not include the 40% of Canadians who did not vote. So, it is not even 30% of Canadians who supported the government. Therefore, it should at least respect the opinion of all Canadians. It is not the first time that we raise this issue.

Today, we are talking about the government cutting debate short after introducing a bill, and not even after several hours of debate. This government has shown repeatedly its contempt for our institutions. In the case of Senate appointments, it has also shown that it does not respect its own promises. Indeed, the government had committed to appointing only elected senators. However, two weeks after the election, the Prime Minister not only appointed to the Senate individuals who had lost their election, but he did so without consulting the provinces, as he had promised to do.

Recently, we saw that this government had even set criteria to appoint an officer of Parliament. I am not going to get into details, but there were two basic and very simple criteria to select the Auditor General. First, the individual had to be an accountant and, second, he or she had to be bilingual. This government ignored the fact that the appointee had to be bilingual and it hired an accountant who had some experience in a small province. We can already see the abuse of power.

As we have seen so far, there is always a double standard with this government. We believe the government is abusing its power by constantly resorting to closure to avoid debate. That is the only motive we can find today. It has already done it close to ten times over a period of a few weeks, when none of the bills involved were urgent.

[English]

We have seen time allocation invoked on six out of 10 bills. That does not mean time allocation has been invoked 6 times. It means time allocation has been invoked on 6 bills at different stages. Just so that listeners are aware of how many stages a bill would go through, normally a bill would go through second reading, report stage and third reading. If we multiply six bills times three, that would be 18 times that the government could potentially invoke time allocation. To date, we have a calculation of about 10, so we can look forward to seeing more of these bills undergoing time allocation for the next few steps.

The government House leader has stated that the issues on the government's legislative agenda so far this session have been discussed in detail since the government took office. I do not understand it.

The point is that during the elections the Conservative government made promises. However, if we look at the makeup of the House, at least 40% of the members are new parliamentarians, so this debate never took place. Also, what was said during the election campaign

### *Business of Supply*

was not necessarily in a legislative format. Our job as parliamentarians is to debate these pieces of legislation.

That brings me to another subject, one that is not necessarily tied into the debate today. I am a member of the scrutiny of regulations committee, and we see that if legislation is not properly worded, then a lot of this legislation and, in turn, a lot of its regulations get bogged down. We then have things that are not necessarily clear, Canadians are not happy with how the legislation is worded, and the courts have to get involved. It is all just a churning of bureaucracy and a waste of money.

The claim that the government has already consulted Canadians is far from what the government has actually done. It has not consulted Canadians.

It is saying that three or four hours of debate it is sufficient for a bill. However, let us look at some of the bills that have been tabled. As an example, the budget is made up of 600 pages of legislation. It is a government omnibus bill. As a lawyer, I sat in on some of the committee hearings and I can tell members that it was not the easiest thing to follow. I just cannot imagine how a couple of hours of debate would suffice for a proposed bill that is going to affect all Canadians, not just the criminals. It will affect all Canadians, because one day they will have to deal with these issues, and if they do not have to go before a court of law, they will have to at least pay taxes to pay for all the costs that are going to be incurred in trying to monitor these pieces of legislation and put them into force.

We are trying to avoid just passing these pieces of legislation blindly. We are trying to ensure proper vigilance before these pieces of legislation are passed; however, that does not seem to be a valid argument for the government.

We in the Liberal Party are trying to do our job, but the government is making allegations that we are obstructing and we are using unreasonable amendments. I can understand the government's point of view, because sometimes the NDP acts irrationally and tries to filibuster and makes ridiculous amendments. However, I think the Liberal Party has made pretty reasonable amendments up to now. We have been first up to bat on making amendments on proposed bills. I think that we have done our job, but the government refuses to allow us to continue to do our jobs. We want the public, whether it be experts or third parties who are affected by these bills, to come forward to testify and make suggestions so that we can actually make these bills work properly.

Let us look at some of the bills for which time allocation has been introduced. The budget implementation bill was introduced and read for the first time on June 14; there was time allocation at all stages, and it was voted on June 15.

This is nothing new. Budget implementation bills are introduced twice every year, plus the budget. The budget implementation bill is not a partisan issue. It is normally the bill that introduces the legislation to put the budget into application.



*Business of Supply*

● (1215)

Usually it is technical. It requires people affected by the budget to provide us with their input and tell us what changes they would like to see; if there are no changes, they at least come forward to give us their interpretation of that particular bill.

In the past, whether it was a majority government or a minority government, we have always been able to get consensus on how many hours of debate we needed in the House and in committee. However, the government seems to be using its majority at will and is just punching the legislation through. It has done that for the two budget bills, Bill C-9 and Bill C-13.

On Bill C-10, the omnibus crime bill, the Conservatives invoked time allocation not only in the House but in committee as well. I was there. They suddenly said that they did not want to hear what we had to say. They had made up their minds. It was impossible that they would need opinions from experts. They did not even have to hear from the bar association. They did not even have to hear from the provinces.

Even though members from the province of Quebec had numerous valid amendments to introduce into the bill, the government had already decided it was not going to listen to anyone. I understand that the NDP had numerous amendments that were not relevant to the case and had to be rejected, but my colleague, the member for Mount Royal, introduced some pretty important amendments that were backed up by Minister Fournier from the Quebec government. We are going to have report stage next week, and I am hoping that the government can change its mind and adopt some of the amendments.

With regard to the Canadian Wheat Board, it was not a matter of procedure. Again, that was just rammed through. These farmers are working, and they do not have the time to come here and be notified because everything has to be rammed through.

I see my time is up. I am hoping that I will have some good questions and that I can continue.

● (1220)

**Mr. Harold Albrecht (Kitchener—Conestoga, CPC):** Mr. Speaker, the member mentioned the budget implementation bill, Bill C-13. Within that bill there are some terribly important measures that we have to get passed, including EI improvements and accelerated capital cost allowance for business, as well as work sharing.

He also implied that bringing this budget bill to a vote to finally get it implemented is somehow something new. Bill C-13 has had more hours of debate at second reading than the average budget bill over the last two decades, and more than any Liberal majority budget bill during that time.

Here we are a few days away from the end of 2011, and we are debating the implementation of budget 2011. Does my colleague not think it reasonable that we should implement budget 2011 in 2011, rather than letting it slide on into 2012?

**Mr. Massimo Pacetti:** Mr. Speaker, I want to congratulate you on the nomination to your new post. I hope you are getting at least a

fraction of what the real Speaker gets. You should be justifiably compensated for your work.

That is a great question from the member. This is one of the areas in which I probably both agree with the government and actually disagree, because they probably allotted too much time on second reading.

I love to get these bills to committee and I love to consult with Canadians. I am not a fan of time allocation, but I am not opposed to it. If there is ever a time that a government should use time allocation, it should be at second reading, in order to get the bills out of the House and sent to committee so that they can really be worked on there.

Ways and means is one way to introduce things that are urgent in the budget. There other mechanisms. A budget implementation that has important items in it does not have to be passed overnight. If there are items that need to be passed overnight, they can be put in a ways and means motion and the House will vote on them right away.

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, with respect to our parliamentary democracy, does my Liberal colleague agree that we are dealing with a very fragile construct that exists only by the collective will of the people to maintain the integrity of a system of governance that is the envy of the world when it is working well? It is a tragedy to see it diminished or undermined.

Is my colleague concerned, as am I, that we may in fact be witnessing permanent and irreversible damage to the institution of Parliament as we allow ourselves to stray from the stipulated rules that we have committed ourselves to, which is respecting the roles of both the government and opposition sides in this Parliament, testing the mettle of the legislation put before us through robust and vigorous debate? Is he concerned, as am I, that we may never get the genie back in the jar if we let it erode and diminish any further?

**Mr. Massimo Pacetti:** Mr. Speaker, the member for Winnipeg Centre always makes his questions much more animated than they need be. However, I understand and agree with the gist of his question. I do not agree 100% with it but I agree that we are eroding the traditions of Parliament slowly but surely. It is a little sad to see that some of the government backbenchers, as they are called, do not stand up for some of the things that should go on in committee and do not listen to Canadians.

I think there is room for change. I think that after a couple of years the government backbenchers will be on the backbenches realizing that they are not doing anything and at one point or another will need to react because they will need to account to their electorate.

I think the government is treating Parliament more as a nuisance than an actual voice for Canadians. That is the troubling part in all this.

● (1225)

**Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC):** Mr. Speaker, I serve on the finance committee. When we went through clause by clause of Bill C-13, we did that pretty quickly. I believe it took a couple of hours. The time that took the longest was the section where we would stop taxpayer money from going to the election process.

The argument is that if there is such a concern, why was there not more time taken in committee where we would expect to see that dialogue take place?

**Mr. Massimo Pacetti:** Mr. Speaker, I agree with the member. If there is time that is needed to be spent on a bill to make it perfect it probably should be spent in committee because that is where we can actually have third party, people who are interested and actually have the minister come forward. I agree with the member that there should be more time.

Bill C-13 was a 600-page bill and there were a lot of technicalities. More time should probably have been given to the witnesses to prepare so that they could come forward at committee.

[Translation]

**Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP):** Mr. Speaker, my colleague made a very interesting speech. The motion today proposes a non-partisan measure. The members on the other side of the House said that there were many good reasons to limit debate. All we want to do is to give this power to the Speaker.

I wonder if their opposition to our motion has to do with the fact that they do not think they have enough reasons to convince the Speaker to accept their closure and time allocation motions. I would like my colleague to comment on that.

**Mr. Massimo Pacetti:** Mr. Speaker, I thank the member for her question. It is true that the government will oppose the NDP's motion because it will no longer have control over closure and time allocation motions. The government knows that it cannot control the Speaker.

The Liberal Party does not necessarily want the Speaker to have control over these motions. However, we would like the issue to be examined by the Standing Committee on Procedure and House Affairs. That committee would be able to find solutions with all parliamentarians. It is a decision to be made by Parliament and not necessarily the Speaker. It certainly is not a decision that should be made by the government. We are in favour of this motion in principle, but we do not agree with all of the details.

[English]

**Mr. Scott Simms (Bonaville—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, I thank the House for allowing me to speak to this motion. I also thank my colleague for Windsor—Tecumseh for bringing this motion forward at this point. I want to look at the motion in detail because it is not just a simple statement that this is a bad sort of thing and that the government should not use time allocation as much as it does. The member provides some detail in the motion that I would like to talk about.

For instance, the motion states:

...a study and make recommendations to amend the Standing Orders with respect to closure and time allocation, such that: (i) a Minister would be required to provide justification for the request for such a curtailment of debate;

That is certainly something we ought to talk about simply because when time allocation is brought into this House we hear little justification for doing so. We are given short explanations that are basically passed over. The reason for that, on many occasions, is that there is no justification and no requirement to justify it. I agree with the member in many respects on that. I think that justification should

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be brought to the House and presented to all of us. A big reason for doing that is that some of the fundamental questions as to why time allocations are brought sometimes go unanswered, such as, if bills have passed over a certain period time such that members of Parliament could consult their constituents. A lot of the time, items are promised during campaigns, which is what the Conservatives go on about, and on which they are now delivering.

In 2008, there was a basic promise in dealing with Newfoundland and Labrador and Nova Scotia regarding the Atlantic Accord and some of the money that would be withheld within the province because of oil revenues. The promise was that the equalization formula would be made such that non-renewable resources would not play a factor in tabulating each province's ability to raise money.

However, when the budget implementation bill came out, much later than the broad principles, it was realized that the devil certainly did lay within the details of what was happening in the budget implementation. It ended up that the promise, by which 100% of non-renewables was to come out of the formula, was not in the budget implementation. Essentially, they had put an agreement that was outside of normal equalization and brought it back in. Former member, Bill Casey, was one of the members who left the party as a result of this. He voted against the budget for that and sat on the opposition side shortly thereafter.

I only put that into context because there is a certain amount of time from when the broad principles of the budget are announced by the finance minister to the time of budget implementation. Once we look at the legislation and a lot of the details that are involved, sometimes these broad principles get watered down or are not what they had appeared to be. Therefore, I think time allocation works against this principle.

The government will remark that the Liberals did this back when they were in power, but a lot of times, such as the Species At Risk Act, time allocation was brought in at third reading. At that point there had been a substantial opportunity to discuss and debate.

Canadians can review the cut and thrust of debate, enough to see what the principles are about, how the legislation is laid out and then, coming back from committee, how the proposed legislation was fine-tuned or not.

I commend my hon. colleague for bringing this motion. I think he brings up some decent questions as to how we can deal with time allocation, filibustering and the limitation of debate within the House.

We also now use the terminology "constituency weeks". For instance, when the House is shut down for a week, people say that members have a week off. However, no, they are in their constituencies dealing with constituents and they can find out at that point how their constituents feel about certain pieces of legislation. Time allocation works against that, in my opinion.



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●(1230)

One of the comments that was made earlier was that we have had so much time to deal with this, that the budget implementation bill has been in the House for quite some time and that we have dealt with it thoroughly, therefore, no bills, as was stated, have received royal assent. However, that is not true. At the end of June, we had Bill C-2, Bill C-4 and three other bills that received royal assent at that time. Those measures went through.

When the Conservatives say that the budget implementation bill needs to be passed in 2011 because it is budget 2011, that may be a valid point but, if it is valid, why are we spending all these hours talking about copyright legislation, the long gun registry and other measures, such as Bill C-10?

What the Conservatives could do is put that on the agenda each and every time. Every member in the House, at that point, could certainly speak their piece on how they feel about the budget implementation bill or the budget bill for this coming year, 2012.

I do want to point out that in this motion the other thing that it goes on about is that:

(ii) the Speaker would be required to refuse such a request in the interest of protecting the duty of Members to examine legislation thoroughly, unless the government's justification sufficiently outweighs the said duty....

There is a great deal of responsibility in what the Speaker must bring to this legislature, beyond the obvious, which is the running of the House. The Speaker also the responsibility of judging whether the normal legislative process is adhered to. We saw examples of that when our former speaker was here. He made big rulings, certainly rulings that made history, and will always be looked upon as a key moment in the speaker's career, because of the judgments that he brought.

Mr. Speaker, if we look at the way you do your job, one of the key responsibilities is to look at legislation that has been accepted in principle and scope in second reading, then you must decide if, within the committee, its work went beyond the scope and principle of the bill. You have the authority to overturn those amendments, even if everybody in this House, as I have said time and time again, says that they agree with the amendments that were made, you, Mr. Speaker, have the authority to turn them down despite that.

It has been done before. It happened in a private member's bill some time ago on back-to-work legislation, or what people call "anti-scab" legislation. There was an amendment to exclude essential services and there seemed to be a lot of agreement with that, certainly the majority of members agreed with that, but the speaker turned down that particular amendment because it went beyond the scope and principle of the bill.

Therefore, this brings up a good point, which is that this motion would say that you, Mr. Speaker, should have that responsibility to turn this time allocation down, if it is not justified, certainly in dealing with the history, the principles and the spirit of how this House of Commons operates. I think that is a good thing. Why can the Speaker not be involved in this and say that he or she finds that it is not a very justifiable answer as to why we have to slap time allocation on this when we are dealing with something as large and complex as the budget?

Another valid point, I believe, is the fact that following the election there seems to be a lot of new members in the House. I only say "seems to be" because I think all the new members in this House of Commons are doing a fine job. I think they are holding the bar up there when it comes to representation of their constituency.

Time allocation runs in the face of that because a lot of these new members have not had their say. It is their first time in the House and I think compassion should be given, if not by the government then certainly by the Speaker to say, "Well, just a moment". This legislation in regard to budget 2011 needs to be done soon, therefore, new members in the House should have a chance and the opportunity to speak to that.

I think that, in and of itself, is a good reason why we should have a filter upon which time allocation is used in this House. It has been used throughout history. I cannot justify a lot of the time allocations that have been used because, in many cases, it was wrong. Does the minister not agree? Whether it was red, blue, orange or any other colour, it was wrong in many cases. Depending on the issue, depending on the people involved and depending on the fact that some people have not had their say about this legislation, and that there has not been as much consultation, time allocation is used in a very crass way.

●(1235)

If we look at the situation in front of us now, there are several pieces of legislation deemed important, but some more so than others. Therefore, I would humbly suggest to the House that we should support this simply because it brings a new element into the House where no one party has the authority—

**The Speaker:** The member has run out of time.

We will move on to questions and comments, the hon. member for Timmins—James Bay.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, one thing that has been very concerning since the Conservative majority came to power is the realization that our parliamentary system, which is built on the Westminster model, has always been based on a sense of understanding of the greater role of parliamentarians and that there is a lesser role for the crass partisan attack message box politics. However, that has been flipped in the government. We hear again and again that democracy is the fact that the Conservatives have won the election, so why does Parliament get in their way.

That is a very disturbing concept because it is a direct attack on the parliamentary tradition. Democracy is the system that was set up so constituents would send their members here to debate the issues of the day. That is my right and obligation as a parliamentarian.

Does my hon. colleague think that time allocation is actually part of a larger pattern of contempt for the traditions and the importance of the parliamentary system in our country on the part of the Conservative government?

• (1240)

**Mr. Scott Simms:** Mr. Speaker, I can always depend on my colleague to give me a new turn of phrase that I thoroughly enjoy. I just got one and I would love to share it with the House if people are just tuning in on CPAC. I will even grant him copyright privileges. Message box politics is exactly what it is.

Message box politics is about the same message over and over again, void in interpretation of a member's particular riding. Members' statements that are heavily partisan should be looked at by the Speaker as well. They run one minute long. When they are extremely partisan, they forget one thing. At the very end they forget to say "I am the Prime Minister and I approve this ad". That is the only thing missing from those members' statements.

It is unfortunate, but message box politics is not putting out the message as to what the legislation means for the average Canadian.

**Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** Mr. Speaker, I have great regard for my colleague across the way in matters of democracy and parliamentary process, which he clearly has studied.

In everything there is balance. Even John Stuart Mill, the great promoter of liberalism and democracy, said that there were limits on freedom, limits on freedom of speech. What is the limit? We heard my colleague earlier today speak about the hundreds of hours that had been expended, the hundreds of debates that had already been committed to the topics Canadians wanted us to develop into laws and wanted us to move in a productive fashion. What is the limit? We could go on forever and there would be freedom, but there has to be freedom to limit, so said John Stuart Mill, and I believe my colleague would accept that principle as well.

**Mr. Scott Simms:** Mr. Speaker, I have a great respect for my colleague also. There is an east coast, west coast connection there.

I agree with the quotation from John Stuart Mill about the limitations of freedoms. However, the context is a little different. The context is about limitations and expressions of freedoms as long as they do not harm other people. I think that is probably what John Stuart Mill was getting at as opposed to the actual limitation in time within the House. I could be wrong, nonetheless I do believe that is what he meant.

What troubles me is the fact that the debate itself is what Conservatives are focusing on. The actual words spoken in the House has exceeded a certain number by which we have exhausted that. Respectfully, I put to the House, look at it from another way. If there are any limitations to be put on debate, they should not be put on members of Parliament who are now unable to speak on this issue simply because other people have spoken before them. That is where I get to the point about new members of Parliament having their say. This is brought to their riding and following that, they come here as the true representatives. The limitation should not apply to the individual member of Parliament not having his or her say.

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, I will be splitting my time with the member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup.

I stand today in support of the motion before the House. It is quite ironic that today I heard a colleague across the floor in the ruling

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party, admittedly a party that won a majority, say, "everyone has a right to have his or her voice heard in this House". That is what he said when he was presenting a petition with which he did not agree. I was heartened by that, thinking there must be many Conservative MPs who agree with this motion.

If everyone has a right to have his or her voice heard in Parliament, then surely parliamentarians in the House should also have the same right to have their voices heard. I often hear the argument in the House that this bill was debated last March or this bill was debated last September. I have to remind all colleagues that Parliament dissolved, it is sitting again and this is a new session. Many of us were not in the House when the bills were previously introduced. When the legislation is reintroduced, it is new legislation. That is how it gets moved and spoken to. Because we have over 100 new MPs in the House, not only the newly-elected MPs but also the experienced MPs who have returned to the House should have the same right to discuss and debate the bills before them.

There have been a number of bills moved in the House that I have wanted to speak against, not because I want to hear the sound of my voice but because I want to represent the voices of my constituents. I have not been given that right because closure or time allocation has been moved. Surely, that cannot be right.

As a history teacher for years, I taught all about parliamentary democracy. We argue and we are very proud of the fact that democracy is fundamental. It has many flaws, but despite all its flaws, it is the best that we have. A parliamentary democracy is the best form of democracy we have. MPs are elected and the majority forms government, but then they come to the House to debate the issues. Having a majority does not make government a dictatorship. It does not mean that because it has a majority, the voices of those who oppose its points of view have to be silenced by moving procedural motions to close debate.

Parliamentary democracy, at its fundamental level, absolutely requires informed debate in the House. The government gets to take the time to present its perspective and the opposition gets to present its perspective both in comment and later in amendments, if there are any. However, what I personally have experienced in the House is that more and more I feel my voice has been muzzled, that I am not allowed to represent my constituents or a different point of view. This process is a threat to parliamentary democracy.

We are very proud of the role we play internationally in promoting democracy. In Egypt, we speak out for democracy. In Libya, we helped to overthrow a regime because we believed in democracy.

• (1245)

We talk about the importance of democracy in all these other countries, and this is an appeal to every parliamentarian. Surely we cannot sit in the House and undermine the very parliamentary democracy that we try to promote in other nations. We sound like hypocrites.



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When we talk about the Middle East, whether it is Libya or Egypt, we talk about the right to protest, the right to free speech, the right for the opposition to express its point of view. When it comes to Ukraine, we speak out against the treatment of the opposition, and justifiably so. That is our role. Then surely my colleagues across this floor cannot sit silent, while their own colleagues' voices are muzzled in Parliament by the government moving closure time and time again.

I looked at some of the facts and figures, because I wanted to take a look at some of the history behind this. In 53 sitting days, the Conservative government has used time allocation 10 times and 8 times in the last 39 days. What do the Conservatives have to hide? They have legislation. Let us debate it, let us express our points of view and let us hear the debate. The Conservatives have the majority and will be able to pass their legislation without muzzling the voice of the opposition.

Then I think, what is the real agenda here? Is the majority government in a hurry to prorogue Parliament and go off, back to its constituencies? Or has it become so arrogant and out of touch with Canadians that it thinks the majority it received now allows it to behave more like an autocracy than a democracy? We really have to pay attention to those things.

Every parliamentarian needs to support this motion if we believe in a parliamentary democracy. Parliamentary democracy is not about shutting down the voices of the parliamentarians. It is not as if the debate has been a nuisance debate. On a bill that is the size of a phone book for many of our townships, we have had so little debate and many members have not even had the chance to speak. That is the budget bill. Surely, when it comes to the budget, how we spend the money of Canadians, the opposition should have the right to speak out and ask questions. If the government has nothing to hide, why does it keep cutting down debate?

When the Conservatives were in opposition, they had a totally different attitude. I have this wonderful quote. I want to remind members what has happened on the omnibus crime bill as well. That is also being rushed through, nine bills being rushed through in a few days of debate without much time for us to ask questions and for us to digest what is out there. Once again, why?

This is a quote from the Minister of Public Safety, on November 27, 2001. How things change when the Conservatives have a majority. He said:

For the government to bring in closure and time allocation is wrong. It sends out the wrong message to the people of Canada. It tells the people of Canada that the government is afraid of debate, afraid of discussion and afraid of publicly justifying the steps it has taken.

My appeal to all parliamentarians is this. If the government has nothing to hide, let us debate and let us support this motion.

• (1250)

**Ms. Lois Brown (Parliamentary Secretary to the Minister of International Cooperation, CPC):** Mr. Speaker, my colleague is new to the House, and it is nice to have her here. There are a few new colleagues on the other side.

However, I was here in the last Parliament when many of these debates did take place. All of these issues were presented to the

Canadian public. Canadians did have a vote on May 2. The voters of Canada gave this government a very strong mandate to take forward these issues that we had been presenting in the House since 2006, when this government was first elected with a plurality. These issues have been debated here for many, many hours. Many speeches have been given.

What does the member think the election was all about?

• (1255)

**Ms. Jinny Jogindera Sims:** Mr. Speaker, the election was about Canadians sending MPs to represent them in Parliament right here on Parliament Hill. That is exactly what Canadians did. They did not elect every Conservative candidate as an MP. They elected some members of the opposition, and they want the opposition to play a role.

I am getting really fed up with being told that things were debated before and that they are old history. When Canadians vote, they do not vote on specific bills or specific actions. Canadians are not aware of every line and every aspect of the bills that have been presented here. What we are hearing is a lot of rhetoric from the government side.

What I am saying is that elections are about electing MPs and sending them to the House so they can represent the diverse points of view from across this country. That is what elections are about.

[Translation]

**Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP):** Mr. Speaker, I would first like to thank the hon. member for her excellent speech, which explained really well how this kind of time allocation motion undermines the credibility and democratic nature of our Parliament, and how it silences those who would like to be able to debate these issues and who have concerns about certain bills.

All we are proposing is to allow a non-partisan person, someone who is outside all of these partisan debates, to decide whether a time allocation motion is justified. If the government believes that it has legitimate reasons for moving such a motion and that doing so is very important, it can give its reasons. The decision will be left to someone other than the government itself, which otherwise decides everything.

I would like the hon. member to comment on that.

[English]

**Ms. Jinny Jogindera Sims:** Mr. Speaker, absolutely. This motion is phrased in such a way that it is neutral. It is non-partisan and will apply to all political parties, no matter which party is in government. It actually gives the authority to the Speaker to make those determinations.

I want to read a quote that will add to this:

Parliament is derived from the French word "parler" which means to speak. It is the place where the representatives of the common people speak to issues that affect the common good.

That was said by the Minister of Citizenship, Immigration and Multiculturalism. That is all we are asking for, the right to speak for the common good.

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I do not know if I am the only one who can see the irony of what we are doing here today, but let me put it in context. There are only about 16 sitting days left before we adjourn for the Christmas break.

While our government is putting forward legislation and trying to pass it on behalf of all Canadians, the NDP members have chosen this day, their supply day, to debate, not an important bill like perhaps the Wheat Board legislation, the budget or the gun registry, all of which they have complained they have not had enough time to discuss in Parliament, but what topic did they choose for their opposition day? They chose to engage in a debate on how much debate constitutes enough debate. It is unbelievable. They are abusing the parliamentary process on one hand by debating something frivolous and on the other hand, ignoring the issues of the—

• (1300)

**The Speaker:** Order. I have to stop the member there, as the member is out of time.

The hon. member for Newton—North Delta has less than 30 seconds to respond.

**Ms. Jinny Jogindera Sims:** Mr. Speaker, there is nothing more fundamental than debating the value and salvation of parliamentary democracy. I am sorry that my colleague does not understand that what we are debating here is something that is fundamental to our parliamentary system. For him to call the debate a waste of time shows me why the Conservatives move closure so many times. They do not value speech in this House.

[Translation]

**Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP):** Mr. Speaker, I am pleased to rise in the House to speak to the NDP motion. And quite sincerely, I am especially pleased to speak since it directly concerns your role, Mr. Speaker, which you fulfill so well out of respect for your title in the House. I am a new member. I have the advantage of a fresh outlook, and I can say that I truly appreciate the work you do.

I have a quote here from May 2, 2011: “We must be the government of all Canadians, including those who did not vote for us [I would like to repeat that last part: “including those who did not vote for us”], and that includes the great Quebec nation.”

That is an excerpt from the first speech the Right Hon. Prime Minister, our current Prime Minister, made as the leader of a parliamentary majority.

That was how he felt on May 2, after years in opposition and years of leading a minority government. And now here we are, just a few months later, having to defend the idea of the opposition's right to speak in the House.

I would also like to quote an excerpt from an excellent column that was published in Quebec in *La Presse* on November 23, 2011. It does a wonderful job of expressing the opinion of a very large majority of Quebecers and likely Canadians as well:

...sometimes, when a leader reaches his goal [in this case, a majority in Parliament for the current Prime Minister's party], blind partisanship gives way to some magnanimity [lending a compassionate ear, let us say], a word that apparently is

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not in the vocabulary of...[I will not quote directly, since we cannot use the current Right Hon. Prime Minister's name in the House] and his key ministers.

Do not forget that this government enjoys a majority in the House, but it was elected by only 39.6% of Canadians (16.5% in Quebec, a province particularly badly crushed by the bulldozer).

When, on the night of his victory, [our hon. Prime Minister] declared that his would be a government of all Canadians, it was apparently just empty words devoid of any real intention....

The column used the Prime Minister's last name followed by the words “the bulldozer”.

That is what the columnists who are by far the most popular among Quebecers are saying in black and white, without mincing words. The same thing is happening in English Canada. We should be worried that things have gotten to this point and that something like this is happening in a democracy as old as ours.

It is all caused by a problem involving overuse of what is called the “gag order”. Before digging more deeply into the problem, I would first like to correct a statement by the government, which is inaccurate to say the least, in response to our motion today. It relates to Bill C-13.

I would simply like to point out that the bill is to implement certain provisions of the budget. We are not postponing passage of a budget, this is about implementing it. Bill C-13 was introduced on October 4, 2011. Contrary to what some of my colleagues opposite have said, we have not been delaying passage of a budget since the throne speech in June. That is simply not the case. We were questioning an extremely important document. One of my colleagues has said it was as thick as a phone book. It was only introduced on October 4. The budget is 644 pages long. There have been only seven days of debate in the House and there was time allocation at each stage. There was time allocation at second reading, at report stage and at third reading.

It is completely incorrect to use this example when we look at what has in fact happened and the very proper behaviour of the opposition, which was simply asking for more time to discuss the 640 or so pages of the budget.

Let us come back to the main problem. The government has the unilateral power to invoke rule 78 concerning time allocation. This is where we have a problem. Canadians already have a democratic deficit.

• (1305)

With our first past the post electoral system, we can end up with a House like this one, where 60 % of Canadians find themselves represented by a minority of members in the House. So we have a serious democratic deficit that has been corrected in a number of modern democracies. I could talk for 25 minutes on this subject alone, so I will not dwell too long on it.



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This means we are stuck with this flawed poor first past the post system which distorts the results. What is left for the Canadians who make up that 60 % and more? There is only one thing left for them: the right for their representatives, who have been relegated to a minority, to speak, to introduce numerous suggestions by motion and to be heard. If we take away the very essence of the very little bit of what is left of democratic rights in the present system, we have to wonder what will remain of democracy in Canada. It is as serious as that.

Gagging the opposition seven times in a short time span means gagging six Canadians out of ten, seven times in a few months. If we still think that the government is a responsible government, that the House is a House of representatives, gagging this side of the House seven times means gagging six Canadians out of ten, seven times in a few months. I would like to hear it, if a single one of my colleagues opposite disagrees with this perception or this view of democracy. Can they rise in the House and say that if the opposition is gagged seven times, that is not the equivalent, in the present situation in the House, of gagging six Canadians out of ten, seven times in a few months?

The gag was applied in the case of Bill C-18 on wheat management, a foundation of the economy, a foundation of Canadians' food supply, which is a somewhat important question. The gag was applied twice. The gag was applied in the case of Bill C-10. It was even done in committee, even in that separate kind of place where we are supposed to be able to hear experts and speak with them. Even there, the gag was applied. And we still have to point out over and over again in the House that Bill C-10 is opposed by the Canadian Bar Association, by the lawyers' organizations in all provinces and by a majority of the provincial governments. And the gag was applied.

I want to come back to the speech by the Right Hon. Prime Minister about governing for all Canadians. He had a perfect opportunity to prove that between his words and his actions, there might one day be some consistency. We moved a very simple motion more than six times to introduce a Bill C-10A on everything to do with sexual assault against minors. The House would have stood up the next day and adopted the motion. Those six motions were never once considered by the current government, led by a prime minister who began, on the first evening of his first-ever win as a majority government, by saying he would govern for all Canadians.

The first definition that appears after a simple little search on the Speaker's site is as follows:

To ensure the orderly flow of business, the House of Commons observes parliamentary rules and traditions, both written and unwritten. It is the Speaker's duty to interpret these rules impartially, to maintain order, and to defend the rights and privileges of Members, including [the first right mentioned in black and white] the right to freedom of speech.

What the motion is calling for is quite simple, Mr. Speaker. It is to give you this responsibility, which is part of your role, and to give you more powers. We are not playing with something here that does not exist in other countries or inventing a very complex democratic mechanism. We are simply saying that the role of Speaker is indeed to be impartial—a role that the current Speaker is fulfilling very well in the House—and that we are all giving him the role to address this

antidemocratic abuse of Standing Order 78 to gag debate to no end, and to ask why there needs to be a gag order.

● (1310)

We have to ask if there are excellent reasons to gag debate and why the government should quickly silence the official opposition, which, in our system, represents the majority of Canadians.

**Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP):** Mr. Speaker, I thank my hon. colleague for his speech. At 11:35 a.m. today in question period, the member for Beauce said it is very important that bills be studied thoroughly. I wonder if my colleague could comment on that statement. Why does this government seem to have so many double standards?

**Mr. François Lapointe:** Mr. Speaker, I thank my hon. colleague for raising this particular issue. I would like to quickly read a quotation that is even more to the point:

After limiting debate in the House on the first day of debate, after limiting committee hearings to two days and giving witnesses 24 hours notice, the government now informs us it wants to make a major change....Will the government admit that it should properly consult Parliament, affected parties, experts and Canadians...?

Who said these words of wisdom? It was none other than the current Right Honourable Prime Minister on December 8, 1995. How is it that this was so important in 1995, yet it is so trivial now? Our colleagues across the floor are the ones who should be answering that.

[English]

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, let us just make sure we get one thing straight here.

While the NDP members are complaining that they are not given enough time to debate a piece of legislation, they are not really interested in debate. Their motive and their rationale is to try to defeat government legislation. That is it.

They do not want to debate; they just want to kill the bills. They have tried to kill so many bills, Quentin Tarantino would be impressed. That is what NDP members are attempting to do here.

I would simply ask the member, does he not think that over 100 speeches and over 50 hours of debate on bills like Bill C-10 is adequate?

[Translation]

**Mr. François Lapointe:** Mr. Speaker, I thank my hon. colleague even more for raising this issue than the previous issue. It is absolutely absurd to claim that having a debate on a bill would be useless simply because the opposition is likely to vote against it. To take that reasoning a little further, why do we not just shut down the House of Commons tomorrow and be done with it? We could play a recording that simply repeats, "Canadians gave our government a strong mandate for the economy" and we could all go do something else. If we take that reasoning a little further, Canadian parliamentary life would look a little like what I just described.

**The Speaker:** Order.

It being 1:15 p.m., it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the business of supply.

[English]

The question is on the motion.

Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the yeas have it.

*And five or more members having risen:*

**The Speaker:** Call in the members.

*And the bells having rung:*

**The Speaker:** Pursuant to Standing Order 45, the division stands deferred until Monday, November 28, 2011, at the ordinary hour of daily adjournment.

• (1315)

**Hon. Gordon O'Connor:** Mr. Speaker, I ask that you see the clock at 1:30 p.m.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

**The Speaker:** The House will now proceed to the consideration of private members' business as listed on today's order paper.

## PRIVATE MEMBERS' BUSINESS

[Translation]

### CANADA LABOUR CODE

**Mr. Robert Aubin (Trois-Rivières, NDP)** moved that Bill C-315, An Act to amend the Canada Labour Code (French language), be read the second time and referred to committee.

He said: Mr. Speaker, it is a real pleasure to see that this House is going to take a few minutes today, even if it is a very few, to discuss the private member's bill I am sponsoring, the objective of which, I would recall, is to give workers in Quebec who are employed in a work, undertaking or business under federal jurisdiction the same language rights as are provided by the Charter of the French Language in Quebec.

It is actually difficult to understand why, or how, an employee who works in a bank in Quebec, for example, would not have the same language rights as his or her counterpart who works in a caisse populaire across the street, in both cases within Quebec. So this bill is a matter of common sense and I find it hard to see anything that might prevent us from voting unanimously for once in this House.

### Private Members' Business

A well, the purpose of this bill is to recognize the language rights of the francophone majority in Quebec. Because those rights are already recognized for the anglophone majority in the rest of the country, it would seem that we can give to Quebec without taking anything away in the rest of Canada.

On November 27, 2006, this House adopted a motion that stated:

That this House recognize that the Québécois form a nation within a united Canada.

What I would hope, following on the proposals made to the Quebec nation by my late leader Jack Layton, is that by this bill and others that my colleagues in the NDP will be proposing we will contribute to better defining the place and rights of Quebec within Canada in concrete terms.

Today, with this bill, we have a golden opportunity to begin to recognize that uniqueness through concrete action. There are more than 200,000 workers in Quebec who would thus have the language rights that are taken for granted by all Canadian workers formally recognized and secured. Over seven million people in Quebec would be hearing: "Welcome to Canada, you will soon feel at home with us."

The day after I was elected, and right up to today, whenever people on the Hill who imagined that the Bloc had virtually disappeared congratulated me for playing a part by defeating a Bloc candidate, I replied that Quebec had chosen to give federalism another chance because with his asymmetrical federalism approach, Jack Layton had succeeded in persuading them that they could hope to rejoin Canada in style one day.

The time has come to take the first step toward Quebec. I refer indeed to a first step, because the process will not end with this bill. While I do not want to be a prophet of doom, we cannot hope that Quebec will offer us a perpetual opportunity to walk together on the path toward building a new Canada that will not deny in practice what it has been happy to recognize in theory. Many years ago, this was what my little catechism called the difference between wishful thinking and real achievements. And so at a time when the Conservatives have Quebec in their sights with bill after bill that is contrary to the broad consensus of our society, it is high time for action and not studies.

Now, for all the francophones in Canada, members of minority language communities, whether in British Columbia or Manitoba or Nova Scotia, and I will be forgiven for not naming them all for want of time, who might be worried when they see this bill that they are seeing the disappearance or decline of the concept of the linguistic duality in Canada, the concept that is the guarantee of their development, I can reassure them and tell them it is nothing of the sort.

Moreover, this bill does not apply to federal institutions, it applies to works, undertakings and businesses. The institutions are subject to the Official Languages Act. And so the communities throughout Canada have nothing to fear and nothing to lose with Bill C-315. Their language rights will still be protected by the Official Languages Act. As well, through my work on the Standing Committee on Official Languages, I will continue to mount a strong defence of their interests for as long as I hold this position.



*Private Members' Business*

The same is true for the anglophone minority language community in Quebec, with whom I have had excellent discussions and who now understand that it is possible to be in favour of Bill C-315 without being against the anglophone minority in Quebec.

• (1320)

Now, let us get to the heart of Bill C-315 to assess the impact and to pick up on any problems, because we know that, all too often, the devil is in the details.

With the current wording, federal works, undertakings or businesses carrying on their activities in Quebec would be subject to the following requirements: using French in their written communications with the Government of Quebec and with corporations established in Quebec; giving their employees the right to carry on their activities in French; drawing up communications to their employees in French; preparing collective agreements and their schedules in French; preparing offers of employment in French and publishing them in a daily newspaper at the same time, and with at least equal prominence as any offers published in a daily newspaper in a language other than French.

I should also point out that the intent of this bill is not to prohibit the use of another language, but no other language may take precedence over French. This bill would make it impossible for an employer to dismiss, lay off or demote an employee because the employee demanded that a right arising from the provisions of this bill be respected. This is not rocket science for anyone living and working in Quebec.

What types of businesses would likely be affected by this bill? Banks, airports, transportation companies that operate between Quebec and one or more other provinces, telecommunications companies and radio stations. In the last case, imagine an English-language radio station working for the anglophone community in Quebec and operating in English. This business could even ask the governor in council to grant some exemptions to reflect this business's reality.

This is more proof, if it was even necessary, that this bill is not dogmatic, but that it was designed to reflect a majority of Quebecers and to ensure that they feel acknowledged at home in Quebec and also within the Canadian federation. Need I remind members that when the Supreme Court of Canada was examining the constitutionality of certain provisions of the Charter of the French Language, it ruled that the objective of this legislation was to promote and protect the French language and to assure that the reality of Quebec society is communicated through the "*visage linguistique*" ? That was also an important recommendation in the Larose commission report, presented in 2001.

While some here in the House do not feel that this bill goes far enough, I know that for others it creates undue fear. It is understandable that they have those fears, though, because our country's language battles often cloud our vision. With the help of the members of my party, we have done our homework and the NDP caucus is unanimous in recommending that this bill be passed. It is part of the huge legacy left to us by Jack Layton when he mapped out his vision of the Canada of tomorrow.

And although he has left us, his vision remains and all those who believed in him and who believe in an inclusive Canada where Quebec can reclaim its place are waiting for us to roll up our sleeves and get down to it. That is our Canada, and it is up to us to build it. No one will buy into the idea of more studies instead of action. The government's waffling will get us nowhere.

So let us take action and work to build today's Canada together, right now, and make it a place where the Quebec nation will find some recognition.

To conclude, I would like to sincerely thank the hon. member for Acadie—Bathurst for seconding my bill as well as all the members of the House who are taking the time to debate this bill, which is so important for Quebec, of course, and I would dare say for Canada's future.

• (1325)

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, has the member for Trois-Rivières consulted French-speaking minority groups outside Quebec or English-speaking minority groups inside Quebec? I am wondering whether the member might share some views as to how French-speaking minority groups in the other provinces see this bill.

**Mr. Robert Aubin:** Mr. Speaker, I may have spoken too quickly, but that was part of my speech. I have met with francophone minority groups from throughout Canada and I have also taken the time to talk with representatives of the anglophone minority language group in Quebec, who came to see me at my office to voice their concerns. We took the time that was needed to reassure them. Each of these groups came away with the impression not only that they had been heard, but that they had been listened to. That lessened their concerns about the requirements in this bill.

**Hon. Mauril Bélanger (Ottawa—Vanier, Lib.):** Mr. Speaker, I listened to my colleague carefully. I intend to speak later. Did I understand correctly when he said that his bill would also include airports? Would corporations like Old Port of Montreal or Canada Post be included? I would like him to tell us whether he has made a list of works, undertakings and businesses that are considered to be federal that would be included or not included.

**Mr. Robert Aubin:** Mr. Speaker, I have not drawn up an exhaustive list, to answer my hon. colleague's question. However, it is clear that this bill only covers works, undertakings and businesses under federal jurisdiction and not the institutions that are already covered by the Official Languages Act. When we refer to transportation companies, we mean the ones engaged in interprovincial transportation.

**Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP):** Mr. Speaker, I would first like to congratulate my colleague for his exceptional oratorical skills. He is a proud representative of the French language and a great advocate of this bill. Does he not find it somewhat surprising that his bill seems to be so appropriate and so well thought out that it has prompted the sudden idea on the part of our colleagues opposite of creating committees to discuss it?

• (1330)

**Mr. Robert Aubin:** Mr. Speaker, I would like to thank my colleague for his question. I admit that I find it difficult to take a position on this strategy. It looks like some clever stick-handling to try to hijack a situation that could be settled unanimously in the House, if we took the time to discuss it for only a few hours. There is nothing in the bill for anyone in Canada to be afraid of. This issue has been under study for years. It is high time that we deliver a bill that will recognize the language rights of francophones in Quebec. It will not hurt anyone else in Canada. We have done our homework and made sure of that. Is it really a source of political shame to support a bill that comes from a party other than the government party?

**Mr. Matthew Dubé (Chambly—Borduas, NDP):** Mr. Speaker, I would also like to congratulate my colleague from Trois-Rivières. One very important point in this bill has to do with the rights of workers in Quebec. We are talking about people's right to speak the language of their choice at work, especially since this House has recognized the Quebec nation.

I wonder if my colleague could elaborate on the importance of French in the workplace in Quebec and how this bill will help improve the situation.

**Mr. Robert Aubin:** Mr. Speaker, I thank my hon. colleague for his excellent question. These days, there are some examples of anglophone executives who come and work in federally regulated businesses in Quebec. The goal of the bill is not to conduct a witch hunt and demand the systematic expulsion of all anglophone executives. Of course, we want them to be sensitive to the fact that they are working in a francophone environment and to learn to speak French themselves, but more importantly, we want the workers under their supervision to be able to exercise their fundamental right to work in French when responding to the request of a unilingual anglophone.

**Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services, for Official Languages and for the Economic Development Agency for the Regions of Quebec, CPC):** Mr. Speaker, I am pleased to have the opportunity to speak to Bill C-315, An Act to amend the Canada Labour Code (French language), introduced by my colleague from Trois-Rivières.

To begin with, I think it is important to explain the situation in Quebec to my colleagues as it relates to the language of work.

In Quebec, there are two separate sets of rules governing the language of work, which cover different categories of institutions, businesses and workers. First, there is the Official Languages Act, which applies to all federal institutions that carry on their activities in Quebec, with the exception of private businesses under federal jurisdiction, such as Bell Canada, to name one example. That important legislation covers about 76,000 employees in Quebec. It stipulates that English and French are the languages of work.

Second, there is the Charter of the French Language, which recognizes French as the official language of the province. The Charter of the French Language lays down the rules to be followed in relation to the use of French in workplaces under provincial jurisdiction. Those rules apply to nearly 3.8 million Quebec workers.

### *Private Members' Business*

About 130,000 employees in the private sector, in some 1,750 businesses under federal jurisdiction in Quebec, are not covered by either the Official Languages Act or the Charter of the French Language.

It is also important to note that the provincial and territorial governments, with the exception of the Government of Quebec, do not regulate the use of languages of work in businesses in the private sector. The same is true of the federal government, with the exception of former Crown corporations such as Air Canada and CN, which are subject to the Official Languages Act.

What Bill C-315 is proposing is to include provisions in the Canada Labour Code so that French would be used in all private sector businesses and organizations under federal jurisdiction that carry on business in Quebec. It must be pointed out that this bill could impose potentially costly statutory and regulatory requirements on some private sector businesses under federal jurisdiction, and particularly small and medium-sized businesses, that operate in Quebec—requirements that would not be imposed on them if they were operating elsewhere in Canada, need I remind the House. I do not think this is the right time to be adding new statutory and regulatory requirements to the already heavy burden on private enterprises in this time of economic uncertainty. We should rather be reducing administrative burdens, and that is what we are doing.

There are many private businesses under federal jurisdiction that voluntarily comply with the Charter of the French Language. Those businesses are setting an example. We support their determination to promote the use of French as the language of work in Quebec.

Our government is sensitive to the desire of Quebecers to work in French. It is also sensitive to the importance of the French fact in Canada. In that regard, I would like to quote from the 2010 Speech from the Throne:

Canada's two official languages are an integral part of our history... our Government will take steps to strengthen further Canada's francophone identity.

For the time being, we do not have any conclusive data to show whether Quebecers working for federally regulated private businesses have difficulty working in French. In fact, there is little information to support the argument behind Bill C-315. The labour program has yet to receive a complaint. Furthermore, in the 2006 census, close to 96% of all francophone Quebecers reported that they used French at work most often.

We need conclusive data. We need to clearly understand the situation facing federally regulated workers and private businesses in Quebec. We must listen to what they have to say. That is why our government announced that it planned on creating a consultative committee, which will assess whether a problem exists with regard to the French language in federally regulated private businesses.

• (1335)

French is widely used by Quebecers at work. We believe that the consultative committee that will be created will help us move forward in the debate on this important issue. I urge my colleagues in the House to join me in opposing Bill C-315.



*Private Members' Business*

I also urge them to support the government in its decision to appoint someone to help the Minister of Labour learn about this important issue.

**Hon. Mauril Bélanger (Ottawa—Vanier, Lib.):** Mr. Speaker, Bill C-315 introduced by the hon. member for Trois-Rivières—whom I am getting to know and for whom my respect is growing—is of great interest, primarily because it highlights contradictions, both on the government side and on the official opposition side.

Let us begin with the government and the first contradiction. We all remember the Conservatives' reaction last summer, when the Commissioner of Official Languages decided to investigate the nature of linguistic services provided by private businesses in the national capital region.

At the time, the Minister of Canadian Heritage and Official Languages said: "It is not the federal government's business to monitor the language used by private businesses with their customers."

Yesterday, the Minister of Industry and Prime Minister's political lieutenant for Quebec said: "I have the privilege of announcing today in the House that our government is going to set up a consultative committee that will be responsible for determining whether a problem exists with regard to the French language in federally regulated private businesses."

This is some contradiction. In light of this contradiction, a few questions come to mind. First, what has changed? Second, if an assessment of the use of French is now the "federal government's business", as the minister said yesterday, why not ask the Commissioner of Official Languages to tackle that job? He is equipped to do so. Moreover, are the Conservatives beginning to feel the heat regarding official languages? Could it be because of the appointment of a unilingual Auditor General, who is an officer of Parliament, despite the opposition of all parties in the House, except the party in office?

Let us also not forget another contradiction, and I am referring to Bill C-17, An Act to amend the Air Canada Public Participation Act. It took the Conservatives six years to finally come up with this legislation, and they still do not seem to be in any rush, because we have not heard about this bill since it was first introduced, on October 16.

And what about the gaping holes in the bill? For example, there is no reference to part IV, namely the right to work in the official language of one's choice. The right of employees to communicate with their supervisor in French or in English seems to worry the Conservatives in the case of National Bank, but not Air Canada's subsidiaries or the Office of the Auditor General of Canada. That is another big contradiction.

• (1340)

[English]

As for the official opposition, its most glaring contradiction is to claim to be protecting Canada's linguistic minorities yet to ignore the concerns generated by Bill C-315 in Quebec's anglophone community.

Here is what the Quebec Community Groups Network has to say about Bill C-315:

The QCGN continues to oppose federal legislation that asymmetrically addresses the language rights of Canadians. We appreciate the time that... [the hon. members for Trois-Rivières, Acadie—Bathurst and Outremont] spent explaining the proposed legislation to us on October 18, and accept at face value their reasons for continuing to introduce bills which would asymmetrically extend language rights to some Canadian citizens depending on their official language, and place and type of employment. The QCGN has not supported previous attempts by the Bloc Québécois or the New Democratic Party along these lines, nor is it likely to in future. We firmly believe that Canadians living in the nation's English and French linguistic minority communities in Canada are best served, and their rights best protected by maintaining the equality of our two official languages.

[Translation]

Furthermore, in the spring of 2010, Nicola Johnston, co-chair of the QCGN Youth Standing Committee, appeared before the Standing Committee on Official Languages. Here is what she had to say, and I quote:

But the reality is that the English-speaking youth in Quebec face lower political participation and representation and higher unemployment rates compared to their francophone counterparts. We are effectively barred from the Quebec civil service, with a participation rate of 0.2%.

...but I know that it will be a major challenge, and perhaps even an obstacle, for me to be able to serve in the public service of my own province, because I am an English speaker. In contrast, many of my classmates will return to their home provinces to work in the provincial civil service, building on a sense of identity, belonging, and ownership that is perhaps not available to me and others like me.

When studying such a bill, we cannot underestimate its impact on Quebec's anglophone population, especially the younger population.

Here are some other contradictions from the official opposition. The bill contains two main provisions. My colleague talked about the first, which describes in detail the right to work in French in so-called "federal" businesses in Quebec. But there is no mention of a customer's right to be served in French or English.

By so-called "federal" enterprises, are we talking about corporations such as VIA Rail, Canada Post, Air Canada, the airports, which he mentioned, or the Old Port of Montreal? There may be some confusion and it is not clear. Finally, and this is likely the most juicy contradiction, there is the addition of the second section that gives the governor in council, or cabinet, and therefore the Prime Minister, the power to exempt every so-called "federal" enterprise for all manner of reasons. Why bother legislating if all the power is being given to the Prime Minister?

What can we do about all these contradictions? I believe that two big ideas and two major, fundamental principles must prevail. First, given our history, our Constitution and our desire to all continue living together harmoniously, it is up to the Canadian government to promote linguistic duality, in other words, our two official languages: English and French.

Second, the Canadian government has the duty to protect and support official language minority communities in their development. If there is a legal gap in the Canada Labour Code and there is a willingness to fill that gap—it is not clear whether that is the case—allow me to humbly suggest in this House that it should perhaps be filled by the Official Languages Act, federal legislation that represents quite well the will of Canadian Parliament and the Canadian people.

If there is a desire to extend the Canadian government's responsibility for official languages or linguistic requirements toward the private sector in Quebec and elsewhere in the country, should we not look to quasi-constitutional legislation that covers both the promotion of English and French—linguistic duality—and respect for linguistic minority rights? That is what every minority community in the country wants, including the anglophone minority community in Quebec. That is the position of our party and I am very proud of it.

● (1345)

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, I am pleased to rise in the House today to speak to Bill C-315, introduced by the hon. member for Trois-Rivières. I would like to congratulate him on this bill. This is the second time that a similar bill has been introduced in the House, but this one is more specific. It does not target the public service and federal institutions because they are already covered by the Official Languages Act. I would also like to comment on the hon. member for Ottawa—Vanier's speech on this bill.

There was a debate in the House that was brought forward by the Conservative government. There were discussions with our former leader, Jack Layton, and we agreed to recognize Quebec as a nation. The Liberals voted in favour of that. I do not want to get into the definition of a nation and on what it should be given. In terms of labour law, it is hard to believe that in Quebec, where there is a provincial law, workers, as my colleague from Trois-Rivières so rightly said, have the right to work in their language at a credit union, but not in a bank. How can that happen in Quebec?

We also met with the association representing anglophone minorities in Quebec. Anglophones are not entirely comfortable with this bill because it will help only one province instead of the entire country, but they are not overly concerned. They understand. I got the impression that they understand what is happening, especially in Quebec.

The House made the effort to recognize Quebec as a nation. The labour code of that nation gives people the right to work in French and to have their collective agreements in French. However, in federally regulated private businesses, people do not have the same right. That is very difficult to accept.

The bill introduced by the member for Trois-Rivières does not say that anglophones cannot work in their language. Members must not try to muddy the waters and make people believe that we are trying to take something away from anglophones in Quebec. We are simply saying that francophones have the right to work in their language. They are the majority and they have the right to work in their language. Quebec is the only province in Canada and in North America that is truly francophone.

After the bill was introduced, the Minister of Industry and Minister of State for Agriculture said that as far as language of work was concerned, the NDP had clearly not done its homework. He has the nerve to say that in the House when his government just appointed a unilingual Auditor General of Canada. They have the nerve to stand up in the House and say that the NDP did not do its homework when they have the power to appoint judges to the Supreme Court.

### *Private Members' Business*

This is 2011. Our country has been bilingual for 40 years, but the Auditor General of Canada is going to go before the press to report to Canadians without being able to speak one of our country's official languages. They have the nerve to tell us in the House that we did not do our homework? We are doing our homework by introducing a bill like this one, to allow a francophone employee working for a private company in Quebec to speak his language and have his collective agreement in his language.

The House cannot support that, but it can recognize Quebec as a nation?

● (1350)

It is not enough to just unanimously accept that Quebec is a nation. We need concrete actions. One of the best actions that can be taken is to ensure that all workers in Quebec can work in their language without taking anything away from anglophones in Quebec. This bill does not take anything away from them. The hon. member for Ottawa—Vanier tells us this bill might prevent clients from being served in their language. Let us be reasonable. The bill does not do that. We are not in Moncton, New Brunswick, the only bilingual province in Canada, where you cannot get served in French at the casino. In Montreal, you can get served at the casino in both official languages. We are not in Moncton, New Brunswick, where they thumb their noses at the French language. As a New Brunswicker, I am not shy to say so. I hope the Prime Minister hears me as well.

That is not what we are talking about. We are talking about respecting workers and their community in Quebec, without taking anything away from the other community. If there is anyone being trampled on in Canada in terms of language, it is francophones, because of the way today's Conservatives are treating official languages. With the new rules of the House of Commons and the Government of Canada, I had to file a complaint with the Office of the Commissioner of Official Languages to get a new voice mailbox.

[English]

During the initialization, the voice mail will address the person in English, the system's default language. Once the person's voice mail initialization is completed, the person will be allowed to easily change it to French, should he or she choose to do so, by following these steps.

[Translation]

This is 2011. Are they trying to say that Bell Canada does not have the technology to put both official languages on their voice mail? All it would take is to add "press 2 for French and press 1 for English". This is November 25 and we still have to file complaints with the Office of the Commissioner of Official Languages.

Now they are worried because a bill will give workers in the Quebec nation the right to work in their language and to have a collective agreement in their language when they work for a federally regulated company. I have a hard time seeing how someone could not be in favour of this bill. I do not see how that could be the case.



*Private Members' Business*

Otherwise, perhaps we should have another vote in the House of Commons. Are they sure they want to recognize Quebec as a nation within Canada? We should ask that question again. Were they being sincere the evening of the vote when they recognized Quebec as a nation within Canada? Were they being sincere when they rose? If they were, they must take action and make some changes in this regard. They must be able to tell Quebecers that they are not only welcome, but that they are also part of Canada, that they are Canadian citizens, regardless of whether they are from Quebec or any other province, and that we will work together and respect them.

It shows a lack of respect for the entire province of Quebec that, these days, people still cannot get their collective agreements in French. The government tells us that it will create a committee to take care of it and do its homework, but where have the Conservative members from Quebec been this whole time? It is true that there are not many left. Where were the Conservative members from Quebec when they voted to recognize Quebec as a nation?

That is why this bill is a way to show Quebec that it fits in with the rest of Canada and that we will work to keep Quebec with us in a united Canada. As colleagues, we will do it together.

● (1355)

[English]

**Mr. Joe Daniel (Don Valley East, CPC):** Mr. Speaker, the hon. member for Trois-Rivières is proposing that the Canada Labour Code be amended to introduce requirements for the use of French in federally regulated enterprises that carry out activities in Quebec.

What would that really mean in practice?

There are currently two distinct language regimes in Quebec. First is the federal Official Languages Act, which applies to all federal institutions, and prescribes English and French as the language of work. This act covers 46,000 employees in the core of the federal public service and a further 30,000 employees in the crown corporations and certain private sector companies in Quebec.

Second, we have the Quebec French language charter that designates French as the official language in the province. The charter covers approximately 3.8 million employees in the province's public and private sectors. That leaves about 130,000 private sector employees in federally regulated firms in Quebec who are not currently covered by either federal or provincial language of work legislation.

The bill before us today would change that by amending the Canada Labour Code to place new requirements on federally regulated employers operating in Quebec. This would mean that these employers would need to: use French in their communications with the Government of Quebec and with corporations established in Quebec; give their employees the right to carry on their activities in French; draw up communications for their employees in French; prepare and publish French offers of employment at the same time as any offers published in a language other than French; prepare collective agreements and their schedules in French; and translate arbitration awards into either English or French upon request of one of the parties.

Before I go any further, I want to make it clear that our government understands the importance of language in preserving

culture and heritage. Our two official languages are not just part of our history, they are an integral part of our Canadian identity. This is clearly reflected in the Official Languages Act and in the Canadian Charter of Rights and Freedoms, which both state that English and French are the official languages of Canada. The role of the federal government and the federal language legislation is to promote the use of both French and English across the country and not to favour one over the other.

At the same time, this government has made a commitment to take steps to strengthen further Canadian francophone identity. I assure members that we fully appreciate the importance of the issue before us today.

However, we also feel an equal responsibility to undertake a full and fair evaluation of the issue before us today and it is important to consider the context.

I want to underscore that, in looking at all the issues, we have so far found little documented evidence that francophones face difficulty working in French in federally regulated private sector enterprises in Quebec. In fact, in the 2006 census, close to 96% of all francophone Quebecers reported that they used French at work most often and a further 3.4% said that they used French at work regularly. To date, the labour program has yet to receive a single complaint from a federally regulated private sector employee in Quebec claiming that he or she could not work in French.

Second, the adoption of the bill would represent a departure from past practices in that it would extend the scope of language requirements to the private sector.

From an economic perspective, we need to consider the potential negative implications for the businesses that would be affected by the bill. These businesses need to compete with their counterparts outside of Quebec where other provincial and territorial governments do not regulate the language of work in the private sector firms. As we know, many private sector employers in the federal sector voluntarily conform to provincial language of work legislation. It just makes good business sense to do so.

We need to ask ourselves: Is this really an area where the government should be intervening? Is this the best time to consider imposing additional regulatory burdens on employers?

As members know, our government's first priority is the economic recovery. We are focused on jobs and growth. To that end, we are trying to reduce red tape, keep taxes low and give Canadian businesses more freedom to succeed. Surely, the member for Trois-Rivières would not want to disadvantage the businesses that operate in the province of Quebec.

● (1400)

Do we really need to hurry to impose new laws and red tape on businesses in Quebec in the absence of concrete evidence of a genuine problem?

The Minister of Labour understands the language of work is an important issue in Quebec. That is why the government intends to name an advisory committee to examine the situation and determine whether the working and private sector federal jurisdiction establishments in Quebec are fully able to work in French and will provide its observations in that regard to the government.

As with any important issue before us, we will strive for a clear and comprehensive understanding of the situation and, in turn, make informed decisions on the best way forward. That is what Canadians expect us to do, that is what we intend to do and that is why our government must say no to this bill.

[Translation]

**Mr. Matthew Dubé (Chambly—Borduas, NDP):** Mr. Speaker, I would like to begin by pointing out a rather interesting fact. Today is November 25, which means that two days from now marks the fifth anniversary of this House passing nearly unanimously a motion recognizing Quebec as a nation.

Recognizing a nation is not something that one should take lightly. Although I was not here at the time, I am sure that no one in this House made the decision lightly, and yet, about 250 members—I am sorry I do not recall the exact number—voted in favour of the motion. After supporting such a motion, one should then walk the talk. So far, however, no concrete action has been taken in that regard.

It is very interesting because yesterday, the government surprised us by revealing some lovely projects. It plans simply to launch a committee to work on the issue of official languages. In a press release, the government said it is committed to promoting and protecting the French language in Canada. That is rather interesting, because I do not really understand how it can do that, when some of the people in the highest positions of governance in this country are not even bilingual, such as the Auditor General and Supreme Court judges. That is definitely an argument for another day. The fact remains that I do not understand how, with all of that in mind, the Conservatives have the nerve to come to this House and boast about defending the French language. This really amazes me and I am having a hard time understanding it all.

At the same time, it is interesting to see that the member who spoke before me talked about the absence of a problem. He said that no complaints have been received and there is not really a problem, so we would create a law to solve a problem that does not exist. If there is no problem, why form a committee? Why talk about it? Why take the initiative to try to solve a problem if there is none? It seems to me that this is an admission that there is indeed a problem.

We have to ask ourselves another question. If we are determined to protect the French language, is the fact that complaints may or may not have been filed such a big issue? We are simply asking for the harmonization of the existing provisions of the Charter of the French Language with the Canada Labour Code.

I am going to quote a specific part in the preamble of the Charter of the French Language. It reads:

The French language, the distinctive language of a people that is in the majority French-speaking, is the instrument by which that people has articulated its identity.

### *Private Members' Business*

In that sentence I see an idea that complements in a very concrete fashion the recognition of the Quebec nation. Yet some government members are opposed to our bill, which simply affirms this recognition through a concrete measure.

Let us get back to the committee that will look at this matter. Things are still vague. We do not really know the committee's mandate, which stakeholders will be asked to appear and what specific issues the committee will attempt to solve. The government is setting up a committee, but says that it wants to look at the issue and solve the problem.

That is very odd, because when we, on this side, want to look at problems or delve into issues raised in other bills, the government ends the debate and moves on to something else. However, when the issue is the French language, the government is in no hurry. The NDP is proposing concrete measures, but the Conservatives want to take their time and review the matter. Meanwhile, Quebecers have clearly told us what their needs are. Complaints may not have been filed regarding the Canada Labour Code, but Quebecers expressed their views in another way, a very important way, on May 2.

Let me explain. During the election campaign, we, the NDP candidates, and particularly our leader, Jack Layton, said clearly that if we were elected we would look at the issue to really ensure that the Charter of the French Language and the Canada Labour Code were harmonized. As we all know, Quebecers voted massively for our party, because of the concrete initiatives that we want to take in this House. Quebecers did not ask for a committee to look at the matter. After all, this issue has been dragging on for a long time.

We know that, among other initiatives, the hon. member for Outremont introduced an almost identical bill during the 40th Parliament, and we are simply tabling it again. This is not the first time that it has been debated. Moreover, we are well aware that, in our country, linguistic issues have been very important issues for decades.

● (1405)

These are in no way new issues. In fact, it is practically the opposite: these issues need to be dealt with immediately.

I know that often, when we debate bills, the best way to make government members understand is by talking about an economic aspect. So I will speak to these issues by giving an economic argument to support this bill.

This is a labour right, a right for Quebec workers. This government claims to be a great defender of people who wish to work, who wish to find a job and who wish to meet their family's needs in uncertain economic times. This is one way of helping those people.



*Private Members' Business*

My riding is more than 95% francophone. For these people, it is a labour right. When people work to meet their families' needs, to make ends meet or to earn a living, they have a fundamental right to work in their language. This reality should be even more concrete since Quebec has been recognized as a nation. This issue of language rights has gone on far too long. To me, that is clear. It is interesting because, none of the arguments made by the government or the Liberal Party are in opposition to the bill. They recognize that there is a problem because they want to form a committee. So do not try to tell me that there is no problem. Obviously, if they are willing to form a committee, it means that they recognize that there is a problem.

They talk about respecting both official languages, but do nothing to protect them. This is a concrete measure, an opportunity to show that we are willing to do more than just pay lip service. This is an opportunity, if I may, Mr. Speaker, for redemption from the colossal mistake of appointing unilingual officers to such important positions in our country and to much opposition. I am still trying to find a good and solid reason to oppose a measure that simply harmonizes the Canada Labour Code with existing measures in the Charter of the French Language of Quebec. We are not asking to make major changes to our society. These are measures that have existed since the 1970s. They are already in place.

The NDP thinks that it is normal for the 200,000 people working in federally regulated companies to have the same rights as their colleagues who work in companies or institutions under the umbrella of the Charter of the French Language. It is not very complicated.

I want to come back to the use of the French language and the issue of anglophone minorities. Part of my family is anglophone and I believe that the fact that they experienced the implementation of the Charter of the French Language puts me in a good position to say that it does not infringe on our rights in any way whatsoever; rather, it completes and strengthens francophone rights. Those are two very different things. Anglophones are not being prevented from speaking English. The charter simply protects the fundamental right of francophones to work in French and to receive communications and their collective agreement in French. In labour law, the language of expression, the language that allows us to work and take our place at our work, is essential. It is our identity. It is our way of expressing ourselves. We cannot do without it. I am still waiting to hear arguments to the contrary. The answer is easy. Everyone should support this bill.

I want to commend the hon. member for Trois-Rivières on his work. I know that we in the NDP are taking concrete actions and I am very proud of that.

• (1410)

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, I rise today to speak to Bill C-315, An Act to amend the Canada Labour Code (French language).

This bill amends the Canada Labour Code to add requirements regarding the use of French in federally regulated private businesses operating in Quebec. More specifically, the bill requires employers to treat French as the language of work in federally regulated private businesses in Quebec.

The bill gives employees the right to carry on their activities in French, to draw up communications in French, to have their collective agreements and schedules prepared in French, and to have all arbitrations translated into English or French, as the case may be, at the parties' request.

This bill does not prohibit the use of a language other than French, but no other language may take precedence over French.

It authorizes the Governor in Council to exempt, by regulation, federal works, undertakings or businesses from the operations of the provisions of the bill.

I would now like to take a moment to look at the existing language laws already in effect in Quebec.

As my colleagues before me have already explained, there are currently two distinct language regimes in Quebec, and these cover various groups of businesses and workers. The Official Languages Act applies to all federal institutions, including Parliament, federal departments, organizations and crown corporations, as well as former crown corporations and all ports and airports.

**The Speaker:** The hon. Parliamentary Secretary to the Minister of Justice will have eight minutes to finish his speech the next time the bill is before the House.

The time provided for the consideration of private members' business has now expired, and the order is dropped to the bottom of the order of precedence on the order paper.

• (1415)

[English]

The House stands adjourned until next Monday at 11 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 2:15 p.m.)







## **APPENDIX**

**ALPHABETICAL LIST OF MEMBERS WITH THEIR  
CONSTITUENCIES, PROVINCE OF CONSTITUENCY  
AND POLITICAL AFFILIATIONS;  
COMMITTEES OF THE HOUSE,  
THE MINISTRY AND PARLIAMENTARY SECRETARY**



**CHAIR OCCUPANTS**

**The Speaker**

HON. ANDREW SCHEER

**The Deputy Speaker and Chair of Committees of the Whole**

MS. DENISE SAVOIE

**The Deputy Chair of Committees of the Whole**

MR. BARRY DEVOLIN

**The Assistant Deputy Chair of Committees of the Whole**

MR. BRUCE STANTON

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**BOARD OF INTERNAL ECONOMY**

HON. ANDREW SCHEER

MS. CHRIS CHARLTON

MR. JOE COMARTIN

MS. JUDY FOOTE

HON. ROB MERRIFIELD

HON. GORDON O'CONNOR

HON. PETER VAN LOAN

## ALPHABETICAL LIST OF MEMBERS OF THE HOUSE OF COMMONS

## First Session—Forty-first Parliament

Name of Member	Constituency	Province of Constituency	Political Affiliation
Ablonczy, Hon. Diane, Minister of State for Foreign Affairs (Americas and Consular Affairs)	Calgary—Nose Hill	Alberta	CPC
Adams, Eve, Parliamentary Secretary to the Minister of Veterans Affairs	Mississauga—Brampton South	Ontario	CPC
Adler, Mark	York Centre	Ontario	CPC
Aglukkaq, Hon. Leona, Minister of Health and Minister of the Canadian Northern Economic Development Agency	Nunavut	Nunavut	CPC
Albas, Dan	Okanagan—Coquihalla	British Columbia	CPC
Albrecht, Harold	Kitchener—Conestoga	Ontario	CPC
Alexander, Chris, Parliamentary Secretary to the Minister of National Defence	Ajax—Pickering	Ontario	CPC
Allen, Malcolm	Welland	Ontario	NDP
Allen, Mike	Tobique—Mactaquac	New Brunswick	CPC
Allison, Dean	Niagara West—Glanbrook	Ontario	CPC
Ambler, Stella	Mississauga South	Ontario	CPC
Ambrose, Hon. Rona, Minister of Public Works and Government Services and Minister for Status of Women	Edmonton—Spruce Grove	Alberta	CPC
Anders, Rob	Calgary West	Alberta	CPC
Anderson, David, Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board	Cypress Hills—Grasslands	Saskatchewan	CPC
Andrews, Scott	Avalon	Newfoundland and Labrador	Lib.
Angus, Charlie	Timmins—James Bay	Ontario	NDP
Armstrong, Scott	Cumberland—Colchester— Musquodoboit Valley	Nova Scotia	CPC
Ashfield, Hon. Keith, Minister of Fisheries and Oceans and Minister for the Atlantic Gateway	Fredericton	New Brunswick	CPC
Ashton, Niki	Churchill	Manitoba	NDP
Aspin, Jay	Nipissing—Timiskaming	Ontario	CPC
Atamanenko, Alex	British Columbia Southern Interior	British Columbia	NDP
Aubin, Robert	Trois-Rivières	Québec	NDP
Ayala, Paulina	Honoré-Mercier	Québec	NDP
Baird, Hon. John, Minister of Foreign Affairs	Ottawa West—Nepean	Ontario	CPC
Bateman, Joyce	Winnipeg South Centre	Manitoba	CPC
Bélanger, Hon. Mauril	Ottawa—Vanier	Ontario	Lib.
Bellavance, André	Richmond—Arthabaska	Québec	BQ
Bennett, Hon. Carolyn	St. Paul's	Ontario	Lib.
Benoit, Leon	Vegreville—Wainwright	Alberta	CPC
Benskin, Tyrone	Jeanne-Le Ber	Québec	NDP
Bernier, Hon. Maxime, Minister of State (Small Business and Tourism)	Beauce	Québec	CPC
Bevington, Dennis	Western Arctic	Northwest Territories	NDP
Bezan, James	Selkirk—Interlake	Manitoba	CPC
Blanchette, Denis	Louis-Hébert	Québec	NDP
Blanchette-Lamothe, Lysane	Pierrefonds—Dollard	Québec	NDP
Blaney, Hon. Steven, Minister of Veterans Affairs	Lévis—Bellechasse	Québec	CPC
Block, Kelly	Saskatoon—Rosetown—Biggar	Saskatchewan	CPC



Name of Member	Constituency	Province of Constituency	Political Affiliation
Boivin, Françoise.....	Gatineau .....	Québec .....	NDP
Borg, Charmaine .....	Terrebonne—Blainville .....	Québec .....	NDP
Boughen, Ray .....	Palliser .....	Saskatchewan .....	CPC
Boulerice, Alexandre .....	Rosemont—La Petite-Patrie ....	Québec .....	NDP
Boutin-Sweet, Marjolaine.....	Hochelaga .....	Québec .....	NDP
Brahmi, Tarik .....	Saint-Jean .....	Québec .....	NDP
Braid, Peter .....	Kitchener—Waterloo .....	Ontario .....	CPC
Breitkreuz, Garry .....	Yorkton—Melville .....	Saskatchewan .....	CPC
Brisson, Hon. Scott .....	Kings—Hants .....	Nova Scotia .....	Lib.
Brosseau, Ruth Ellen .....	Berthier—Maskinongé.....	Québec .....	NDP
Brown, Gordon .....	Leeds—Grenville .....	Ontario .....	CPC
Brown, Lois, Parliamentary Secretary to the Minister of International Cooperation .....	Newmarket—Aurora.....	Ontario .....	CPC
Brown, Patrick .....	Barrie .....	Ontario .....	CPC
Bruinooze, Rod .....	Winnipeg South .....	Manitoba .....	CPC
Butt, Brad.....	Mississauga—Streetsville.....	Ontario .....	CPC
Byrne, Hon. Gerry .....	Humber—St. Barbe—Baie Verte .....	Newfoundland and Labrador.....	Lib.
Calandra, Paul, Parliamentary Secretary to the Minister of Canadian Heritage .....	Oak Ridges—Markham .....	Ontario .....	CPC
Calkins, Blaine .....	Wetaskiwin .....	Alberta .....	CPC
Cannan, Ron.....	Kelowna—Lake Country .....	British Columbia .....	CPC
Carmichael, John .....	Don Valley West .....	Ontario .....	CPC
Caron, Guy .....	Rimouski-Neigette—Témiscouata—Les Basques ....	Québec .....	NDP
Carrie, Colin, Parliamentary Secretary to the Minister of Health....	Oshawa .....	Ontario .....	CPC
Casey, Sean .....	Charlottetown .....	Prince Edward Island....	Lib.
Cash, Andrew .....	Davenport .....	Ontario .....	NDP
Charlton, Chris .....	Hamilton Mountain .....	Ontario .....	NDP
Chicoine, Sylvain .....	Châteauguay—Saint-Constant..	Québec .....	NDP
Chisholm, Robert .....	Dartmouth—Cole Harbour .....	Nova Scotia .....	NDP
Chisu, Corneliu .....	Pickering—Scarborough East ..	Ontario .....	CPC
Chong, Hon. Michael .....	Wellington—Halton Hills .....	Ontario .....	CPC
Choquette, François .....	Drummond .....	Québec .....	NDP
Chow, Olivia .....	Trinity—Spadina .....	Ontario .....	NDP
Christopherson, David .....	Hamilton Centre .....	Ontario .....	NDP
Clarke, Rob .....	Desnethé—Missinippi—Churchill River.....	Saskatchewan .....	CPC
Cleary, Ryan .....	St. John's South—Mount Pearl	Newfoundland and Labrador.....	NDP
Clement, Hon. Tony, President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario .....	Parry Sound—Muskoka .....	Ontario .....	CPC
Coderre, Hon. Denis .....	Bourassa .....	Québec .....	Lib.
Comartin, Joe .....	Windsor—Tecumseh .....	Ontario .....	NDP
Côté, Raymond .....	Beauport—Limoilou .....	Québec .....	NDP
Cotler, Hon. Irwin.....	Mount Royal .....	Québec .....	Lib.
Crowder, Jean .....	Nanaimo—Cowichan .....	British Columbia .....	NDP
Cullen, Nathan .....	Skeena—Bulkley Valley.....	British Columbia .....	NDP
Cuzner, Rodger .....	Cape Breton—Canso .....	Nova Scotia .....	Lib.
Daniel, Joe.....	Don Valley East.....	Ontario .....	CPC

Name of Member	Constituency	Province of Constituency	Political Affiliation
Davidson, Patricia .....	Sarnia—Lambton .....	Ontario .....	CPC
Davies, Don .....	Vancouver Kingsway .....	British Columbia .....	NDP
Davies, Libby .....	Vancouver East .....	British Columbia .....	NDP
Day, Anne-Marie .....	Charlesbourg—Haute-Saint-Charles .....	Québec .....	NDP
Dechert, Bob, Parliamentary Secretary to the Minister of Foreign Affairs .....	Mississauga—Erindale .....	Ontario .....	CPC
Del Mastro, Dean, Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs .....	Peterborough .....	Ontario .....	CPC
Devolin, Barry, The Acting Speaker .....	Haliburton—Kawartha Lakes—Brock .....	Ontario .....	CPC
Dewar, Paul .....	Ottawa Centre .....	Ontario .....	NDP
Dion, Hon. Stéphane, Saint-Laurent—Cartierville .....	Saint-Laurent—Cartierville .....	Québec .....	Lib.
Dionne Labelle, Pierre .....	Rivière-du-Nord .....	Québec .....	NDP
Donnelly, Fin .....	New Westminster—Coquitlam .....	British Columbia .....	NDP
Doré Lefebvre, Rosane .....	Alfred-Pellan .....	Québec .....	NDP
Dreeshen, Earl .....	Red Deer .....	Alberta .....	CPC
Dubé, Matthew .....	Chambly—Borduas .....	Québec .....	NDP
Duncan, Hon. John, Minister of Aboriginal Affairs and Northern Development .....	Vancouver Island North .....	British Columbia .....	CPC
Duncan, Kirsty .....	Etobicoke North .....	Ontario .....	Lib.
Duncan, Linda .....	Edmonton—Strathcona .....	Alberta .....	NDP
Dusseau, Pierre-Luc .....	Sherbrooke .....	Québec .....	NDP
Dykstra, Rick, Parliamentary Secretary to the Minister of Citizenship and Immigration .....	St. Catharines .....	Ontario .....	CPC
Easter, Hon. Wayne .....	Malpeque .....	Prince Edward Island .....	Lib.
Eyking, Hon. Mark .....	Sydney—Victoria .....	Nova Scotia .....	Lib.
Fantino, Hon. Julian, Associate Minister of National Defence .....	Vaughan .....	Ontario .....	CPC
Fast, Hon. Ed, Minister of International Trade and Minister for the Asia-Pacific Gateway .....	Abbotsford .....	British Columbia .....	CPC
Findlay, Kerry-Lynne D., Parliamentary Secretary to the Minister of Justice .....	Delta—Richmond East .....	British Columbia .....	CPC
Finley, Hon. Diane, Minister of Human Resources and Skills Development .....	Haldimand—Norfolk .....	Ontario .....	CPC
Flaherty, Hon. Jim, Minister of Finance .....	Whitby—Oshawa .....	Ontario .....	CPC
Fletcher, Hon. Steven, Minister of State (Transport) .....	Charleswood—St. James—Assiniboia .....	Manitoba .....	CPC
Foote, Judy .....	Random—Burin—St. George's .....	Newfoundland and Labrador .....	Lib.
Fortin, Jean-François .....	Haute-Gaspésie—La Mitis—Matane—Matapédia .....	Québec .....	BQ
Freeman, Mylène .....	Argenteuil—Papineau—Mirabel .....	Québec .....	NDP
Fry, Hon. Hedy .....	Vancouver Centre .....	British Columbia .....	Lib.
Galipeau, Royal .....	Ottawa—Orléans .....	Ontario .....	CPC
Gallant, Cheryl .....	Renfrew—Nipissing—Pembroke .....	Ontario .....	CPC
Garneau, Marc .....	Westmount—Ville-Marie .....	Québec .....	Lib.
Garrison, Randall .....	Esquimalt—Juan de Fuca .....	British Columbia .....	NDP
Genest, Réjean .....	Shefford .....	Québec .....	NDP
Genest-Jourdain, Jonathan .....	Manicouagan .....	Québec .....	NDP
Giguère, Alain .....	Marc-Aurèle-Fortin .....	Québec .....	NDP



Name of Member	Constituency	Province of Constituency	Political Affiliation
Gill, Parm.....	Brampton—Springdale .....	Ontario .....	CPC
Glover, Shelly, Parliamentary Secretary to the Minister of Finance ..	Saint Boniface.....	Manitoba .....	CPC
Godin, Yvon .....	Acadie—Bathurst .....	New Brunswick.....	NDP
Goguen, Robert, Parliamentary Secretary to the Minister of Justice ..	Moncton—Riverview—Dieppe .....	New Brunswick.....	CPC
Goldring, Peter .....	Edmonton East .....	Alberta .....	CPC
Goodale, Hon. Ralph .....	Wascana .....	Saskatchewan .....	Lib.
Goodyear, Hon. Gary, Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario) ..	Cambridge.....	Ontario .....	CPC
Gosal, Hon. Bal, Minister of State (Sport) .....	Bramalea—Gore—Malton.....	Ontario .....	CPC
Gourde, Jacques, Parliamentary Secretary to the Minister of Public Works and Government Services, for Official Languages and for the Economic Development Agency for the Regions of Quebec ..	Lotbinière—Chutes-de-la- Chaudière.....	Québec .....	CPC
Gravelle, Claude .....	Nickel Belt .....	Ontario .....	NDP
Grewal, Nina .....	Fleetwood—Port Kells .....	British Columbia .....	CPC
Groguhé, Sadia .....	Saint-Lambert .....	Québec .....	NDP
Harper, Right Hon. Stephen, Prime Minister.....	Calgary Southwest .....	Alberta .....	CPC
Harris, Dan .....	Scarborough Southwest.....	Ontario .....	NDP
Harris, Jack .....	St. John's East.....	Newfoundland and Labrador.....	NDP
Harris, Richard .....	Cariboo—Prince George .....	British Columbia .....	CPC
Hassainia, Sana .....	Verchères—Les Patriotes .....	Québec .....	NDP
Hawn, Hon. Laurie.....	Edmonton Centre .....	Alberta .....	CPC
Hayes, Bryan .....	Sault Ste. Marie .....	Ontario .....	CPC
Hiebert, Russ .....	South Surrey—White Rock— Cloverdale .....	British Columbia .....	CPC
Hillyer, Jim .....	Lethbridge .....	Alberta .....	CPC
Hoback, Randy .....	Prince Albert .....	Saskatchewan .....	CPC
Hoepfner, Candice, Parliamentary Secretary to the Minister of Public Safety .....	Portage—Lisgar .....	Manitoba .....	CPC
Holder, Ed .....	London West .....	Ontario .....	CPC
Hsu, Ted .....	Kingston and the Islands .....	Ontario .....	Lib.
Hughes, Carol .....	Algoma—Manitoulin— Kapuskasing .....	Ontario .....	NDP
Hyer, Bruce.....	Thunder Bay—Superior North .....	Ontario .....	NDP
Jacob, Pierre .....	Brome—Missisquoi.....	Québec .....	NDP
James, Roxanne .....	Scarborough Centre.....	Ontario .....	CPC
Jean, Brian.....	Fort McMurray—Athabasca ...	Alberta .....	CPC
Julian, Peter.....	Burnaby—New Westminster ...	British Columbia .....	NDP
Kamp, Randy, Parliamentary Secretary to the Minister of Fisheries and Oceans and for the Asia-Pacific Gateway .....	Pitt Meadows—Maple Ridge— Mission .....	British Columbia .....	CPC
Karygiannis, Hon. Jim .....	Scarborough—Agincourt .....	Ontario .....	Lib.
Keddy, Gerald, Parliamentary Secretary to the Minister of Interna- tional Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway .....	South Shore—St. Margaret's ...	Nova Scotia .....	CPC
Kellway, Matthew .....	Beaches—East York .....	Ontario .....	NDP
Kenney, Hon. Jason, Minister of Citizenship, Immigration and Multiculturalism .....	Calgary Southeast .....	Alberta .....	CPC
Kent, Hon. Peter, Minister of the Environment.....	Thornhill.....	Ontario .....	CPC
Kerr, Greg .....	West Nova.....	Nova Scotia .....	CPC
Komarnicki, Ed.....	Souris—Moose Mountain .....	Saskatchewan .....	CPC
Kramp, Daryl.....	Prince Edward—Hastings .....	Ontario .....	CPC

Name of Member	Constituency	Province of Constituency	Political Affiliation
Lake, Mike, Parliamentary Secretary to the Minister of Industry ...	Edmonton—Mill Woods—Beaumont .....	Alberta .....	CPC
Lamoureux, Kevin .....	Winnipeg North .....	Manitoba .....	Lib.
Lapointe, François .....	Montmagny—L'Islet—Kamouraska—Rivière-du-Loup .....	Québec .....	NDP
Larose, Jean-François .....	Repentigny .....	Québec .....	NDP
Latendresse, Alexandrine .....	Louis-Saint-Laurent .....	Québec .....	NDP
Lauzon, Guy .....	Stormont—Dundas—South Glengarry .....	Ontario .....	CPC
Laverdière, Hélène .....	Laurier—Sainte-Marie .....	Québec .....	NDP
Lebel, Hon. Denis, Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec .....	Roberval—Lac-Saint-Jean .....	Québec .....	CPC
LeBlanc, Hon. Dominic .....	Beauséjour .....	New Brunswick .....	Lib.
LeBlanc, Hélène .....	LaSalle—Émard .....	Québec .....	NDP
Leef, Ryan .....	Yukon .....	Yukon .....	CPC
Leitch, Kellie, Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour .....	Simcoe—Grey .....	Ontario .....	CPC
Lemieux, Pierre, Parliamentary Secretary to the Minister of Agriculture .....	Glengarry—Prescott—Russell .....	Ontario .....	CPC
Leslie, Megan .....	Halifax .....	Nova Scotia .....	NDP
Leung, Chungsen, Parliamentary Secretary for Multiculturalism .....	Willowdale .....	Ontario .....	CPC
Liu, Laurin .....	Rivière-des-Mille-Îles .....	Québec .....	NDP
Lizon, Wladyslaw .....	Mississauga East—Cooksville .....	Ontario .....	CPC
Lobb, Ben .....	Huron—Bruce .....	Ontario .....	CPC
Lukiwski, Tom, Parliamentary Secretary to the Leader of the Government in the House of Commons .....	Regina—Lumsden—Lake Centre .....	Saskatchewan .....	CPC
Lunney, James .....	Nanaimo—Alberni .....	British Columbia .....	CPC
MacAulay, Hon. Lawrence .....	Cardigan .....	Prince Edward Island .....	Lib.
MacKay, Hon. Peter, Minister of National Defence .....	Central Nova .....	Nova Scotia .....	CPC
MacKenzie, Dave .....	Oxford .....	Ontario .....	CPC
Mai, Hoang .....	Brossard—La Prairie .....	Québec .....	NDP
Marston, Wayne .....	Hamilton East—Stoney Creek .....	Ontario .....	NDP
Martin, Pat .....	Winnipeg Centre .....	Manitoba .....	NDP
Masse, Brian .....	Windsor West .....	Ontario .....	NDP
Mathysen, Irene .....	London—Fanshawe .....	Ontario .....	NDP
May, Elizabeth .....	Saanich—Gulf Islands .....	British Columbia .....	GP
Mayes, Colin .....	Okanagan—Shuswap .....	British Columbia .....	CPC
McCallum, Hon. John .....	Markham—Unionville .....	Ontario .....	Lib.
McColeman, Phil .....	Brant .....	Ontario .....	CPC
McGuinty, David .....	Ottawa South .....	Ontario .....	Lib.
McKay, Hon. John .....	Scarborough—Guildwood .....	Ontario .....	Lib.
McLeod, Cathy, Parliamentary Secretary to the Minister of National Revenue .....	Kamloops—Thompson—Cariboo .....	British Columbia .....	CPC
Menegakis, Costas .....	Richmond Hill .....	Ontario .....	CPC
Menzies, Hon. Ted, Minister of State (Finance) .....	Macleod .....	Alberta .....	CPC
Merrifield, Hon. Rob .....	Yellowhead .....	Alberta .....	CPC
Michaud, Éline .....	Portneuf—Jacques-Cartier .....	Québec .....	NDP
Miller, Larry .....	Bruce—Grey—Owen Sound .....	Ontario .....	CPC
Moore, Christine .....	Abitibi—Témiscamingue .....	Québec .....	NDP



Name of Member	Constituency	Province of Constituency	Political Affiliation
Moore, Hon. James, Minister of Canadian Heritage and Official Languages.....	Port Moody—Westwood—Port Coquitlam .....	British Columbia .....	CPC
Moore, Hon. Rob .....	Fundy Royal .....	New Brunswick.....	CPC
Morin, Dany .....	Chicoutimi—Le Fjord .....	Québec .....	NDP
Morin, Isabelle .....	Notre-Dame-de-Grâce—Lachine .....	Québec .....	NDP
Morin, Marc-André .....	Laurentides—Labelle .....	Québec .....	NDP
Morin, Marie-Claude.....	Saint-Hyacinthe—Bagot .....	Québec .....	NDP
Mourani, Maria .....	Ahuntsic .....	Québec .....	BQ
Mulcair, Thomas .....	Outremont .....	Québec .....	NDP
Murray, Joyce .....	Vancouver Quadra .....	British Columbia .....	Lib.
Nantel, Pierre .....	Longueuil—Pierre-Boucher ...	Québec .....	NDP
Nash, Peggy .....	Parkdale—High Park .....	Ontario .....	NDP
Nicholls, Jamie .....	Vaudreuil-Soulanges .....	Québec .....	NDP
Nicholson, Hon. Rob, Minister of Justice and Attorney General of Canada .....	Niagara Falls .....	Ontario .....	CPC
Norlock, Rick .....	Northumberland—Quinte West	Ontario .....	CPC
Nunez-Melo, José .....	Laval .....	Québec .....	NDP
O'Connor, Hon. Gordon, Minister of State and Chief Government Whip .....	Carleton—Mississippi Mills....	Ontario .....	CPC
O'Neill Gordon, Tilly .....	Miramichi .....	New Brunswick.....	CPC
Obhrai, Deepak, Parliamentary Secretary to the Minister of Foreign Affairs .....	Calgary East.....	Alberta .....	CPC
Oda, Hon. Bev, Minister of International Cooperation .....	Durham .....	Ontario .....	CPC
Oliver, Hon. Joe, Minister of Natural Resources .....	Eglinton—Lawrence .....	Ontario .....	CPC
Opitz, Ted .....	Etobicoke Centre .....	Ontario .....	CPC
Pacetti, Massimo .....	Saint-Léonard—Saint-Michel ..	Québec .....	Lib.
Papillon, Annick .....	Québec .....	Québec .....	NDP
Paradis, Hon. Christian, Minister of Industry and Minister of State (Agriculture) .....	Mégantic—L'Érable.....	Québec .....	CPC
Patry, Claude .....	Jonquière—Alma .....	Québec .....	NDP
Payne, LaVar .....	Medicine Hat .....	Alberta .....	CPC
Péclet, Ève.....	La Pointe-de-l'Île.....	Québec .....	NDP
Penashue, Hon. Peter, Minister of Intergovernmental Affairs and President of the Queen's Privy Council for Canada .....	Labrador .....	Newfoundland and Labrador.....	CPC
Perreault, Manon .....	Montcalm .....	Québec .....	NDP
Pilon, François .....	Laval—Les Îles .....	Québec .....	NDP
Plamondon, Louis .....	Bas-Richelieu—Nicolet—Bécancour .....	Québec .....	BQ
Poilievre, Pierre, Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario .....	Nepean—Carleton .....	Ontario .....	CPC
Preston, Joe .....	Elgin—Middlesex—London ...	Ontario .....	CPC
Quach, Anne Minh-Thu .....	Beauharnois—Salaberry .....	Québec .....	NDP
Rae, Hon. Bob .....	Toronto Centre .....	Ontario .....	Lib.
Rafferty, John.....	Thunder Bay—Rainy River ...	Ontario .....	NDP
Raitt, Hon. Lisa, Minister of Labour .....	Halton .....	Ontario .....	CPC
Rajotte, James .....	Edmonton—Leduc .....	Alberta .....	CPC
Rathgeber, Brent .....	Edmonton—St. Albert .....	Alberta .....	CPC
Ravignat, Mathieu.....	Pontiac .....	Québec .....	NDP
Raynault, Francine .....	Joliette .....	Québec .....	NDP

Name of Member	Constituency	Province of Constituency	Political Affiliation
Regan, Hon. Geoff	Halifax West	Nova Scotia	Lib.
Reid, Scott	Lanark—Frontenac—Lennox and Addington	Ontario	CPC
Rempel, Michelle, Parliamentary Secretary to the Minister of the Environment	Calgary Centre-North	Alberta	CPC
Richards, Blake	Wild Rose	Alberta	CPC
Richardson, Lee	Calgary Centre	Alberta	CPC
Rickford, Greg, Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, for the Canadian Northern Economic Development Agency and for the Federal Economic Development Initiative for Northern Ontario	Kenora	Ontario	CPC
Ritz, Hon. Gerry, Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board	Battlefords—Lloydminster	Saskatchewan	CPC
Rousseau, Jean	Compton—Stanstead	Québec	NDP
Saganash, Romeo	Abitibi—Baie-James—Nunavik —Eeyou	Québec	NDP
Sandhu, Jasbir	Surrey North	British Columbia	NDP
Savoie, Denise, The Deputy Speaker	Victoria	British Columbia	NDP
Saxton, Andrew, Parliamentary Secretary to the President of the Treasury Board and for Western Economic Diversification	North Vancouver	British Columbia	CPC
Scarpaleggia, Francis	Lac-Saint-Louis	Québec	Lib.
Scheer, Hon. Andrew, Speaker of the House of Commons	Regina—Qu'Appelle	Saskatchewan	CPC
Schellenberger, Gary	Perth—Wellington	Ontario	CPC
Seeback, Kyle	Brampton West	Ontario	CPC
Sellah, Djaouida	Saint-Bruno—Saint-Hubert	Québec	NDP
Sgro, Hon. Judy	York West	Ontario	Lib.
Shea, Hon. Gail, Minister of National Revenue	Egmont	Prince Edward Island	CPC
Shipley, Bev	Lambton—Kent—Middlesex	Ontario	CPC
Shory, Devinder	Calgary Northeast	Alberta	CPC
Simms, Scott	Bonavista—Gander—Grand Falls—Windsor	Newfoundland and Labrador	Lib.
Sims, Jinny Jogindera	Newton—North Delta	British Columbia	NDP
Sitsabaiesan, Rathika	Scarborough—Rouge River	Ontario	NDP
Smith, Joy	Kildonan—St. Paul	Manitoba	CPC
Sopuck, Robert	Dauphin—Swan River— Marquette	Manitoba	CPC
Sorenson, Kevin	Crowfoot	Alberta	CPC
St-Denis, Lise	Saint-Maurice—Champlain	Québec	NDP
Stanton, Bruce, The Acting Speaker	Simcoe North	Ontario	CPC
Stewart, Kennedy	Burnaby—Douglas	British Columbia	NDP
Stoffer, Peter	Sackville—Eastern Shore	Nova Scotia	NDP
Storseth, Brian	Westlock—St. Paul	Alberta	CPC
Strahl, Mark	Chilliwack—Fraser Canyon	British Columbia	CPC
Sullivan, Mike	York South—Weston	Ontario	NDP
Sweet, David	Ancaster—Dundas— Flamborough—Westdale	Ontario	CPC
Thibeault, Glenn	Sudbury	Ontario	NDP
Tilson, David	Dufferin—Caledon	Ontario	CPC
Toet, Lawrence	Elmwood—Transcona	Manitoba	CPC
Toews, Hon. Vic, Minister of Public Safety	Provencher	Manitoba	CPC
Toone, Philip	Gaspésie—Îles-de-la-Madeleine	Québec	NDP



Name of Member	Constituency	Province of Constituency	Political Affiliation
Tremblay, Jonathan.....	Montmorency—Charlevoix— Haute-Côte-Nord.....	Québec .....	NDP
Trost, Brad.....	Saskatoon—Humboldt.....	Saskatchewan .....	CPC
Trottier, Bernard.....	Etobicoke—Lakeshore.....	Ontario .....	CPC
Trudeau, Justin .....	Papineau.....	Québec .....	Lib.
Truppe, Susan, Parliamentary Secretary for Status of Women.....	London North Centre.....	Ontario .....	CPC
Tumel, Nycole.....	Hull—Aylmer .....	Québec .....	NDP
Tweed, Merv .....	Brandon—Souris.....	Manitoba .....	CPC
Uppal, Hon. Tim, Minister of State (Democratic Reform) .....	Edmonton—Sherwood Park....	Alberta .....	CPC
Valcourt, Hon. Bernard, Minister of State (Atlantic Canada Opportunities Agency) (La Francophonie) .....	Madawaska—Restigouche .....	New Brunswick.....	CPC
Valeriote, Frank .....	Guelph .....	Ontario .....	Lib.
Van Kesteren, Dave .....	Chatham-Kent—Essex.....	Ontario .....	CPC
Van Loan, Hon. Peter, Leader of the Government in the House of Commons .....	York—Simcoe.....	Ontario .....	CPC
Vellacott, Maurice .....	Saskatoon—Wanuskewin.....	Saskatchewan .....	CPC
Wallace, Mike .....	Burlington .....	Ontario .....	CPC
Warawa, Mark .....	Langley .....	British Columbia .....	CPC
Warkentin, Chris .....	Peace River.....	Alberta .....	CPC
Watson, Jeff .....	Essex.....	Ontario .....	CPC
Weston, John .....	West Vancouver—Sunshine Coast—Sea to Sky Country....	British Columbia .....	CPC
Weston, Rodney .....	Saint John .....	New Brunswick.....	CPC
Wilks, David .....	Kootenay—Columbia.....	British Columbia .....	CPC
Williamson, John.....	New Brunswick Southwest....	New Brunswick.....	CPC
Wong, Hon. Alice, Minister of State (Seniors) .....	Richmond .....	British Columbia .....	CPC
Woodworth, Stephen.....	Kitchener Centre.....	Ontario .....	CPC
Yelich, Hon. Lynne, Minister of State (Western Economic Diversi- fication) .....	Blackstrap .....	Saskatchewan .....	CPC
Young, Terence.....	Oakville.....	Ontario .....	CPC
Young, Wai .....	Vancouver South.....	British Columbia .....	CPC
Zimmer, Bob .....	Prince George—Peace River...	British Columbia .....	CPC
VACANCY .....	Toronto—Danforth.....	Ontario .....	

## ALPHABETICAL LIST OF MEMBERS OF THE HOUSE OF COMMONS BY PROVINCE

First Session—Forty-first Parliament

Name of Member	Constituency	Political Affiliation
<b>ALBERTA (28)</b>		
Ablonczy, Hon. Diane, Minister of State of Foreign Affairs (Americas and Consular Affairs) .....	Calgary—Nose Hill .....	CPC
Ambrose, Hon. Rona, Minister of Public Works and Government Services and Minister for Status of Women .....	Edmonton—Spruce Grove .....	CPC
Anders, Rob .....	Calgary West .....	CPC
Benoit, Leon .....	Vegreville—Wainwright .....	CPC
Calkins, Blaine .....	Wetaskiwin .....	CPC
Dreeshen, Earl .....	Red Deer .....	CPC
Duncan, Linda .....	Edmonton—Strathcona .....	NDP
Goldring, Peter .....	Edmonton East .....	CPC
Harper, Right Hon. Stephen, Prime Minister .....	Calgary Southwest .....	CPC
Hawn, Hon. Laurie .....	Edmonton Centre .....	CPC
Hillyer, Jim .....	Lethbridge .....	CPC
Jean, Brian .....	Fort McMurray—Athabasca .....	CPC
Kenney, Hon. Jason, Minister of Citizenship, Immigration and Multiculturalism .....	Calgary Southeast .....	CPC
Lake, Mike, Parliamentary Secretary to the Minister of Industry .....	Edmonton—Mill Woods—Beaumont .....	CPC
Menzies, Hon. Ted, Minister of State (Finance) .....	Macleod .....	CPC
Merrifield, Hon. Rob .....	Yellowhead .....	CPC
Obhrai, Deepak, Parliamentary Secretary to the Minister of Foreign Affairs .....	Calgary East .....	CPC
Payne, LaVar .....	Medicine Hat .....	CPC
Rajotte, James .....	Edmonton—Leduc .....	CPC
Rathgeber, Brent .....	Edmonton—St. Albert .....	CPC
Rempel, Michelle, Parliamentary Secretary to the Minister of the Environment .....	Calgary Centre-North .....	CPC
Richards, Blake .....	Wild Rose .....	CPC
Richardson, Lee .....	Calgary Centre .....	CPC
Shory, Devinder .....	Calgary Northeast .....	CPC
Sorenson, Kevin .....	Crowfoot .....	CPC
Storseth, Brian .....	Westlock—St. Paul .....	CPC
Uppal, Hon. Tim, Minister of State (Democratic Reform) .....	Edmonton—Sherwood Park .....	CPC
Warkentin, Chris .....	Peace River .....	CPC
<b>BRITISH COLUMBIA (36)</b>		
Albas, Dan .....	Okanagan—Coquihalla .....	CPC
Atamanenko, Alex .....	British Columbia Southern Interior .....	NDP
Cannan, Ron .....	Kelowna—Lake Country .....	CPC
Crowder, Jean .....	Nanaimo—Cowichan .....	NDP
Cullen, Nathan .....	Skeena—Bulkley Valley .....	NDP
Davies, Don .....	Vancouver Kingsway .....	NDP
Davies, Libby .....	Vancouver East .....	NDP
Donnelly, Fin .....	New Westminster—Coquitlam .....	NDP
Duncan, Hon. John, Minister of Aboriginal Affairs and Northern Development .....	Vancouver Island North .....	CPC
Fast, Hon. Ed, Minister of International Trade and Minister for the Asia-Pacific Gateway .....	Abbotsford .....	CPC
Findlay, Kerry-Lynne D., Parliamentary Secretary to the Minister of Justice .....	Delta—Richmond East .....	CPC



Name of Member	Constituency	Political Affiliation
Fry, Hon. Hedy .....	Vancouver Centre .....	Lib.
Garrison, Randall .....	Esquimalt—Juan de Fuca .....	NDP
Grewal, Nina .....	Fleetwood—Port Kells .....	CPC
Harris, Richard .....	Cariboo—Prince George .....	CPC
Hiebert, Russ .....	South Surrey—White Rock—Cloverdale .....	CPC
Julian, Peter .....	Burnaby—New Westminster .....	NDP
Kamp, Randy, Parliamentary Secretary to the Minister of Fisheries and Oceans and for the Asia-Pacific Gateway .....	Pitt Meadows—Maple Ridge—Mission .....	CPC
Lunney, James .....	Nanaimo—Alberni .....	CPC
May, Elizabeth .....	Saanich—Gulf Islands .....	GP
Mayes, Colin .....	Okanagan—Shuswap .....	CPC
McLeod, Cathy, Parliamentary Secretary to the Minister of National Revenue .....	Kamloops—Thompson—Cariboo .....	CPC
Moore, Hon. James, Minister of Canadian Heritage and Official Languages .....	Port Moody—Westwood—Port Coquitlam .....	CPC
Murray, Joyce .....	Vancouver Quadra .....	Lib.
Sandhu, Jasbir .....	Surrey North .....	NDP
Savoie, Denise, The Deputy Speaker .....	Victoria .....	NDP
Saxton, Andrew, Parliamentary Secretary to the President of the Treasury Board and for Western Economic Diversification .....	North Vancouver .....	CPC
Sims, Jinny Jogindera .....	Newton—North Delta .....	NDP
Stewart, Kennedy .....	Burnaby—Douglas .....	NDP
Strahl, Mark .....	Chilliwack—Fraser Canyon .....	CPC
Warawa, Mark .....	Langley .....	CPC
Weston, John .....	West Vancouver—Sunshine Coast—Sea to Sky Country .....	CPC
Wilks, David .....	Kootenay—Columbia .....	CPC
Wong, Hon. Alice, Minister of State (Seniors) .....	Richmond .....	CPC
Young, Wai .....	Vancouver South .....	CPC
Zimmer, Bob .....	Prince George—Peace River .....	CPC
<b>MANITOBA (14)</b>		
Ashton, Niki .....	Churchill .....	NDP
Bateman, Joyce .....	Winnipeg South Centre .....	CPC
Bezan, James .....	Selkirk—Interlake .....	CPC
Bruinooge, Rod .....	Winnipeg South .....	CPC
Fletcher, Hon. Steven, Minister of State (Transport) .....	Charleswood—St. James—Assiniboia .....	CPC
Glover, Shelly, Parliamentary Secretary to the Minister of Finance .....	Saint Boniface .....	CPC
Hoeppner, Candice, Parliamentary Secretary to the Minister of Public Safety .....	Portage—Lisgar .....	CPC
Lamoureux, Kevin .....	Winnipeg North .....	Lib.
Martin, Pat .....	Winnipeg Centre .....	NDP
Smith, Joy .....	Kildonan—St. Paul .....	CPC
Sopuck, Robert .....	Dauphin—Swan River—Marquette .....	CPC
Toet, Lawrence .....	Elmwood—Transcona .....	CPC
Toews, Hon. Vic, Minister of Public Safety .....	Provencher .....	CPC
Tweed, Merv .....	Brandon—Souris .....	CPC
<b>NEW BRUNSWICK (10)</b>		
Allen, Mike .....	Tobique—Mactaquac .....	CPC
Ashfield, Hon. Keith, Minister of Fisheries and Oceans and Minister for the Atlantic Gateway .....	Fredericton .....	CPC

Name of Member	Constituency	Political Affiliation
Godin, Yvon	Acadie—Bathurst	NDP
Goguen, Robert, Parliamentary Secretary to the Minister of Justice	Moncton—Riverview—Dieppe	CPC
LeBlanc, Hon. Dominic	Beauséjour	Lib.
Moore, Hon. Rob	Fundy Royal	CPC
O'Neill Gordon, Tilly	Miramichi	CPC
Valcourt, Hon. Bernard, Minister of State (Atlantic Canada Opportunities Agency) (La Francophonie)	Madawaska—Restigouche	CPC
Weston, Rodney	Saint John	CPC
Williamson, John	New Brunswick Southwest	CPC

#### NEWFOUNDLAND AND LABRADOR (7)

Andrews, Scott	Avalon	Lib.
Byrne, Hon. Gerry	Humber—St. Barbe—Baie Verte	Lib.
Cleary, Ryan	St. John's South—Mount Pearl	NDP
Foote, Judy	Random—Burin—St. George's	Lib.
Harris, Jack	St. John's East	NDP
Penashue, Hon. Peter, Minister of Intergovernmental Affairs and President of the Queen's Privy Council for Canada	Labrador	CPC
Simms, Scott	Bonavista—Gander—Grand Falls—Windsor	Lib.

#### NORTHWEST TERRITORIES (1)

Bevington, Dennis	Western Arctic	NDP
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#### NOVA SCOTIA (11)

Armstrong, Scott	Cumberland—Colchester—Musquodoboit Valley	CPC
Brison, Hon. Scott	Kings—Hants	Lib.
Chisholm, Robert	Dartmouth—Cole Harbour	NDP
Cuzner, Rodger	Cape Breton—Canso	Lib.
Eyking, Hon. Mark	Sydney—Victoria	Lib.
Keddy, Gerald, Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway	South Shore—St. Margaret's	CPC
Lerr, Greg	West Nova	CPC
eslie, Megan	Halifax	NDP
IacKay, Hon. Peter, Minister of National Defence	Central Nova	CPC
egan, Hon. Geoff	Halifax West	Lib.
offer, Peter	Sackville—Eastern Shore	NDP

#### NUNAVUT (1)

glukkaq, Hon. Leona, Minister of Health and Minister of the Canadian Northern Economic Development Agency	Nunavut	CPC
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#### ONTARIO (105)

Ams, Eve, Parliamentary Secretary to the Minister of Veterans Affairs	Mississauga—Brampton South	CPC
Aer, Mark	York Centre	CPC
Arecht, Harold	Kitchener—Conestoga	CPC
Axander, Chris, Parliamentary Secretary to the Minister of National Defence	Ajax—Pickering	CPC
Auen, Malcolm	Welland	NDP



Name of Member	Constituency	Political Affiliation
Allison, Dean	Niagara West—Glanbrook	CPC
Ambler, Stella	Mississauga South	CPC
Angus, Charlie	Timmins—James Bay	NDP
Aspin, Jay	Nipissing—Timiskaming	CPC
Baird, Hon. John, Minister of Foreign Affairs	Ottawa West—Nepean	CPC
Bélanger, Hon. Mauril	Ottawa—Vanier	Lib.
Bennett, Hon. Carolyn	St. Paul's	Lib.
Braid, Peter	Kitchener—Waterloo	CPC
Brown, Gordon	Leeds—Grenville	CPC
Brown, Lois, Parliamentary Secretary to the Minister of International Cooperation	Newmarket—Aurora	CPC
Brown, Patrick	Barrie	CPC
Butt, Brad	Mississauga—Streetsville	CPC
Calandra, Paul, Parliamentary Secretary to the Minister of Canadian Heritage	Oak Ridges—Markham	CPC
Carmichael, John	Don Valley West	CPC
Carrie, Colin, Parliamentary Secretary to the Minister of Health	Oshawa	CPC
Cash, Andrew	Davenport	NDP
Charlton, Chris	Hamilton Mountain	NDP
Chisu, Corneliu	Pickering—Scarborough East	CPC
Chong, Hon. Michael	Wellington—Halton Hills	CPC
Chow, Olivia	Trinity—Spadina	NDP
Christopherson, David	Hamilton Centre	NDP
Clement, Hon. Tony, President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario	Parry Sound—Muskoka	CPC
Comartin, Joe	Windsor—Tecumseh	NDP
Daniel, Joe	Don Valley East	CPC
Davidson, Patricia	Sarnia—Lambton	CPC
Dechert, Bob, Parliamentary Secretary to the Minister of Foreign Affairs	Mississauga—Erindale	CPC
Del Mastro, Dean, Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs	Peterborough	CPC
Devolin, Barry, The Acting Speaker	Haliburton—Kawartha Lakes—Brock	CPC
Dewar, Paul	Ottawa Centre	NDP
Duncan, Kirsty	Etobicoke North	Lib.
Dykstra, Rick, Parliamentary Secretary to the Minister of Citizenship and Immigration	St. Catharines	CPC
Fantino, Hon. Julian, Associate Minister of National Defence	Vaughan	CPC
Finley, Hon. Diane, Minister of Human Resources and Skills Development	Haldimand—Norfolk	CPC
Flaherty, Hon. Jim, Minister of Finance	Whitby—Oshawa	CPC
Galipeau, Royal	Ottawa—Orléans	CPC
Gallant, Cheryl	Renfrew—Nipissing—Pembroke	CPC
Gill, Parm	Brampton—Springdale	CPC
Goodyear, Hon. Gary, Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario)	Cambridge	CPC
Gosal, Hon. Bal, Minister of State (Sport)	Bramalea—Gore—Malton	CPC
Gravelle, Claude	Nickel Belt	NDP
Harris, Dan	Scarborough Southwest	NDP
Hayes, Bryan	Sault Ste. Marie	CPC
Holder, Ed	London West	CPC
Hsu, Ted	Kingston and the Islands	Lib.
Hughes, Carol	Algoma—Manitoulin—Kapusksing	NDP
Hyder, Bruce	Thunder Bay—Superior North	NDP

Name of Member	Constituency	Political Affiliation
James, Roxanne	Scarborough Centre	CPC
Karygiannis, Hon. Jim	Scarborough—Agincourt	Lib.
Kellway, Matthew	Beaches—East York	NDP
Kent, Hon. Peter, Minister of the Environment	Thornhill	CPC
Kramp, Daryl	Prince Edward—Hastings	CPC
Lauzon, Guy	Stormont—Dundas—South Glengarry	CPC
Leitch, Kellie, Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour	Simcoe—Grey	CPC
Lemieux, Pierre, Parliamentary Secretary to the Minister of Agriculture	Glengarry—Prescott—Russell	CPC
Leung, Chungsen, Parliamentary Secretary for Multiculturalism	Willowdale	CPC
Lizon, Wladyslaw	Mississauga East—Cooksville	CPC
Lobb, Ben	Huron—Bruce	CPC
MacKenzie, Dave	Oxford	CPC
Marston, Wayne	Hamilton East—Stoney Creek	NDP
Masse, Brian	Windsor West	NDP
Mathysen, Irene	London—Fanshawe	NDP
McCallum, Hon. John	Markham—Unionville	Lib.
McColeman, Phil	Brant	CPC
McGuinty, David	Ottawa South	Lib.
McKay, Hon. John	Scarborough—Guildwood	Lib.
Menegakis, Costas	Richmond Hill	CPC
Miller, Larry	Bruce—Grey—Owen Sound	CPC
Nash, Peggy	Parkdale—High Park	NDP
Nicholson, Hon. Rob, Minister of Justice and Attorney General of Canada	Niagara Falls	CPC
Norlock, Rick	Northumberland—Quinte West	CPC
O'Connor, Hon. Gordon, Minister of State and Chief Government Whip	Carleton—Mississippi Mills	CPC
Oda, Hon. Bev, Minister of International Cooperation	Durham	CPC
Oliver, Hon. Joe, Minister of Natural Resources	Eglinton—Lawrence	CPC
Opitz, Ted	Etobicoke Centre	CPC
Poillievre, Pierre, Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario	Nepean—Carleton	CPC
Preston, Joe	Elgin—Middlesex—London	CPC
Rae, Hon. Bob	Toronto Centre	Lib.
Rafferty, John	Thunder Bay—Rainy River	NDP
Raitt, Hon. Lisa, Minister of Labour	Halton	CPC
Reid, Scott	Lanark—Frontenac—Lennox and Addington	CPC
Rickford, Greg, Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, for the Canadian Northern Economic Development Agency and for the Federal Economic Development Initiative for Northern Ontario	Kenora	CPC
Schellenberger, Gary	Perth—Wellington	CPC
Seeback, Kyle	Brampton West	CPC
Sgro, Hon. Judy	York West	Lib.
Shiple, Bev	Lambton—Kent—Middlesex	CPC
Sitsabaiesan, Rathika	Scarborough—Rouge River	NDP
Stanton, Bruce, The Acting Speaker	Simcoe North	CPC
Sullivan, Mike	York South—Weston	NDP
Sweet, David	Ancaster—Dundas—Flamborough—Westdale	CPC
Thibeault, Glenn	Sudbury	NDP



Name of Member	Constituency	Political Affiliation
Tilson, David	Dufferin—Caledon	CPC
Trottier, Bernard	Etobicoke—Lakeshore	CPC
Truppe, Susan, Parliamentary Secretary for Status of Women	London North Centre	CPC
Valeriote, Frank	Guelph	Lib.
Van Kesteren, Dave	Chatham-Kent—Essex	CPC
Van Loan, Hon. Peter, Leader of the Government in the House of Commons	York—Simcoe	CPC
Wallace, Mike	Burlington	CPC
Watson, Jeff	Essex	CPC
Woodworth, Stephen	Kitchener Centre	CPC
Young, Terence	Oakville	CPC
VACANCY	Toronto—Danforth	

#### PRINCE EDWARD ISLAND (4)

Casey, Sean	Charlottetown	Lib.
Easter, Hon. Wayne	Malpeque	Lib.
MacAulay, Hon. Lawrence	Cardigan	Lib.
Shea, Hon. Gail, Minister of National Revenue	Egmont	CPC

#### QUÉBEC (75)

Aubin, Robert	Trois-Rivières	NDP
Ayala, Paulina	Honoré-Mercier	NDP
Bellavance, André	Richmond—Arthabaska	BQ
Benskin, Tyrone	Jeanne-Le Ber	NDP
Bernier, Hon. Maxime, Minister of State (Small Business and Tourism)	Beauce	CPC
Blanchette, Denis	Louis-Hébert	NDP
Blanchette-Lamothe, Lysane	Pierrefonds—Dollard	NDP
Blaney, Hon. Steven, Minister of Veterans Affairs	Lévis—Bellechasse	CPC
Boivin, Françoise	Gatineau	NDP
Borg, Charmaine	Terrebonne—Blainville	NDP
Boulerice, Alexandre	Rosemont—La Petite-Patrie	NDP
Boutin-Sweet, Marjolaine	Hochelaga	NDP
Brahmi, Tarik	Saint-Jean	NDP
Brosseau, Ruth Ellen	Berthier—Maskinongé	NDP
Caron, Guy	Rimouski-Neigette—Témiscouata—Les Basques	NDP
Chicoine, Sylvain	Châteauguay—Saint-Constant	NDP
Choquette, François	Drummond	NDP
Coderre, Hon. Denis	Bourassa	Lib.
Côté, Raymond	Beauport—Limoilou	NDP
Cotler, Hon. Irwin	Mount Royal	Lib.
Day, Anne-Marie	Charlesbourg—Haute-Saint-Charles	NDP
Dion, Hon. Stéphane, Saint-Laurent—Cartierville	Saint-Laurent—Cartierville	Lib.
Dionne Labelle, Pierre	Rivière-du-Nord	NDP
Doré Lefebvre, Rosane	Alfred-Pellan	NDP
Dubé, Matthew	Chambly—Borduas	NDP
Dusseault, Pierre-Luc	Sherbrooke	NDP
Fortin, Jean-François	Haute-Gaspésie—La Mitis—Matane—Matapédia	BQ
Freeman, Mylène	Argenteuil—Papineau—Mirabel	NDP

Name of Member	Constituency	Political Affiliation
Garneau, Marc	Westmount—Ville-Marie	Lib.
Genest, Réjean	Shefford	NDP
Genest-Jourdain, Jonathan	Manicouagan	NDP
Giguère, Alain	Marc-Aurèle-Fortin	NDP
Gourde, Jacques, Parliamentary Secretary to the Minister of Public Works and Government Services, for Official Languages and for the Economic Development Agency for the Regions of Quebec	Lotbinière—Chutes-de-la-Chaudière	CPC
Groguhé, Sadia	Saint-Lambert	NDP
Hassainia, Sana	Verchères—Les Patriotes	NDP
Jacob, Pierre	Brome—Missisquoi	NDP
Lapointe, François	Montmagny—L'Islet—Kamouraska—Rivière-du-Loup	NDP
Larose, Jean-François	Repentigny	NDP
Latendresse, Alexandrine	Louis-Saint-Laurent	NDP
Laverdière, Hélène	Laurier—Sainte-Marie	NDP
Lebel, Hon. Denis, Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec	Roberval—Lac-Saint-Jean	CPC
LeBlanc, Hélène	LaSalle—Émard	NDP
Liu, Laurin	Rivière-des-Mille-Îles	NDP
Mai, Hoang	Brossard—La Prairie	NDP
Michaud, Élane	Portneuf—Jacques-Cartier	NDP
Moore, Christine	Abitibi—Témiscamingue	NDP
Morin, Dany	Chicoutimi—Le Fjord	NDP
Morin, Isabelle	Notre-Dame-de-Grâce—Lachine	NDP
Morin, Marc-André	Laurentides—Labelle	NDP
Morin, Marie-Claude	Saint-Hyacinthe—Bagot	NDP
Mourani, Maria	Ahuntsic	BQ
Mulcair, Thomas	Outremont	NDP
Nantel, Pierre	Longueuil—Pierre-Boucher	NDP
Nicholls, Jamie	Vaudreuil-Soulanges	NDP
Nunez-Melo, José	Laval	NDP
Pacetti, Massimo	Saint-Léonard—Saint-Michel	Lib.
Papillon, Annick	Québec	NDP
Paradis, Hon. Christian, Minister of Industry and Minister of State (Agriculture)	Mégantic—L'Érable	CPC
Patry, Claude	Jonquière—Alma	NDP
Péclet, Ève	La Pointe-de-l'Île	NDP
Perreault, Manon	Montcalm	NDP
Pilon, François	Laval—Les Îles	NDP
Plamondon, Louis	Bas-Richelieu—Nicolet—Bécancour	BQ
Quach, Anne Minh-Thu	Beauharnois—Salaberry	NDP
Ravignat, Mathieu	Pontiac	NDP
Raynault, Francine	Joliette	NDP
Rousseau, Jean	Compton—Stanstead	NDP
Saganash, Romeo	Abitibi—Baie-James—Nunavik—Eeyou	NDP
Scarpaleggia, Francis	Lac-Saint-Louis	Lib.
Sellah, Djaouida	Saint-Bruno—Saint-Hubert	NDP
St-Denis, Lise	Saint-Maurice—Champlain	NDP
Toone, Philip	Gaspésie—Îles-de-la-Madeleine	NDP
Tremblay, Jonathan	Montmorency—Charlevoix—Haute-Côte-Nord	NDP



Name of Member	Constituency	Political Affiliation
Trudeau, Justin .....	Papineau .....	Lib.
Turmel, Nycole .....	Hull—Aylmer .....	NDP

**SASKATCHEWAN (14)**

Anderson, David, Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board .....	Cypress Hills—Grasslands .....	CPC
Block, Kelly .....	Saskatoon—Rosetown—Biggar .....	CPC
Boughen, Ray .....	Palliser .....	CPC
Breitkreuz, Garry .....	Yorkton—Melville .....	CPC
Clarke, Rob .....	Desnethé—Missinippi—Churchill River .....	CPC
Goodale, Hon. Ralph .....	Wascana .....	Lib.
Hoback, Randy .....	Prince Albert .....	CPC
Komarnicki, Ed .....	Souris—Moose Mountain .....	CPC
Lukiwski, Tom, Parliamentary Secretary to the Leader of the Government in the House of Commons .....	Regina—Lumsden—Lake Centre .....	CPC
Ritz, Hon. Gerry, Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board .....	Battlefords—Lloydminster .....	CPC
Scheer, Hon. Andrew, Speaker of the House of Commons .....	Regina—Qu'Appelle .....	CPC
Trost, Brad .....	Saskatoon—Humboldt .....	CPC
Vellacott, Maurice .....	Saskatoon—Wanuskewin .....	CPC
Yelich, Hon. Lynne, Minister of State (Western Economic Diversification) .....	Blackstrap .....	CPC

**YUKON (1)**

Leef, Ryan .....	Yukon .....	CPC
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## LIST OF STANDING AND SUB-COMMITTEES

(As of November 25, 2011 — 1st Session, 41st Parliament)

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Carol Hughes

LaVar Payne  
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Kyle Seeback  
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## ACCESS TO INFORMATION, PRIVACY AND ETHICS

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Pierre-Luc Dusseault  
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Ray Boughen  
Peter Braid  
Garry Breitreuz  
Gordon Brown  
Lois Brown  
Patrick Brown  
Rod Bruinooge  
Brad Butt  
Paul Calandra  
Blaine Calkins  
Ron Cannan  
John Carmichael  
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Rob Clarke	Guy Lauzon	Michelle Rempel	Wai Young
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Costas Menegakis  
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Mike Allen	Kerry-Lynne D. Findlay	Wladyslaw Lizon	Devinder Shory
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David Anderson	Robert Goguen	Dave MacKenzie	Brian Storseth
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Ray Boughen	Russ Hiebert	Christine Moore	Bernard Trottier
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Gordon Brown	Candice Hoeppner	Tilly O'Neill Gordon	Dave Van Kesteren
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Rod Bruinooge	Carol Hughes	Ted Opitz	Mike Wallace
Brad Butt	Roxanne James	LaVar Payne	Mark Warawa
Paul Calandra	Brian Jean	Manon Perreault	Chris Warkentin
Blaine Calkins	Peter Julian	Pierre Poilievre	Jeff Watson
Ron Cannan	Randy Kamp	Joe Preston	John Weston
John Carmichael	Gerald Keddy	James Rajotte	Rodney Weston
Corneliu Chisu	Greg Kerr	Brent Rathgeber	David Wilks
Michael Chong	Ed Komarnicki	Scott Reid	Stephen Woodworth
Rob Clarke	Daryl Kramp	Michelle Rempel	Terence Young
Joe Daniel	Mike Lake	Blake Richards	Wai Young
Patricia Davidson	Guy Lauzon	Lee Richardson	Bob Zimmer

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# HUMAN RESOURCES, SKILLS AND SOCIAL DEVELOPMENT AND THE STATUS OF PERSONS WITH DISABILITIES

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Patrick Brown	Jim Hillyer	LaVar Payne	Mark Warawa
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Ron Cannan	Roxanne James	Brent Rathgeber	Rodney Weston
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OFFICIAL REPORT  
(HANSARD)

Monday, November 28, 2011

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Speaker: The Honourable Andrew Scheer



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# HOUSE OF COMMONS

Monday, November 28, 2011

The House met at 11 a.m.

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*Prayers*

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## PRIVATE MEMBERS' BUSINESS

• (1105)

[English]

### CRIMINAL CODE

**Mr. David Wilks (Kootenay—Columbia, CPC)** moved that Bill C-299, An Act to amend the Criminal Code (kidnapping of young person), be read the second time and referred to a committee.

He said: Mr. Speaker, it is with great pride that I stand today for the protection of all children and speak to Bill C-299 and to recognize the severity of kidnapping a child under the age of 16 by a stranger, by attaching a minimum sentence of five years to anyone convicted of this crime.

A child is the most valued treasure of a parent, a gift and is bequeathed with the honour of carrying the legacy of that family forward. When that is taken from a family there are no words to describe what the family is going through except sheer terror. For the child taken by a stranger without consent, I can only imagine the fear and the anxiety the child would go through.

In its simplest terms, kidnapping came from the term “kidnapping”, slang for child stealing. Unfortunately, the act of kidnapping is the forgotten crime under normal circumstances. Stranger kidnappings in Canada are a rare occurrence; however, each incident tends to shock the nation. When child kidnapping is portrayed by the media it is usually a report of the most severe kind. A child is taken from his or her home, yard or bed, kept for ransom, for sexual exploitation and sometimes murdered.

A kidnapper is normally classified under one of four categories. The first is pedophiles, individuals who seem to identify with children better than with adults which is the reason they are able to lure children easily. The second is profiteers, individuals who are crime exploiters, who sell children to pornographers or adoption rings. The third is serial killers, methodical and ritualized, with power, dominance and control as the most frequent motivators. The fourth is childless psychotics, individuals who tend to kidnap children when they are unable to have children of their own or have lost a child and seek another in its place.

Child kidnappers are characteristically habitual offenders and carry out their assaults in a highly stereotypical *modus operandi*. They are some of the scariest offenders because in the terms of kidnapping they have planned what they are going to do and to whom, with no regard for those they are about to affect. Their sole desire is self-gratification. Once the kidnapping has occurred, their attention turns to not being apprehended by the authorities and the victim is drawn deeper into the desperation of the kidnapper.

Kidnappers must ensure that the victim conforms to each and every demand and normally that will involve physical violence. The younger the victim, the more traumatic the experience.

For the most part, if a person has resorted to this type of criminal behaviour, his or her ability for rehabilitation is remote. Why do I say that? Because these people have no regard for the care or well-being of a fellow human being. As I said before, this is about self-gratification or financial gain and nothing more.

Kidnappers seldom stalk their victims. They are usually very skilled at manipulating and luring children. In the most recent case in Sparwood, B.C., the accused entered the home of the victim and removed him while the family slept. Most kidnappers target younger children because they cannot match the strength of an adult and consequently they are quite easy to restrain.

There is one more point about why this law must be changed to better reflect the severity of the crime.

In a 2000-01 study of stranger-kidnapping cases, five cases were studied. In three of those cases, the accused was convicted of murder. In another case, the accused was before the courts and charged with murder. However, the most disturbing to me was the last case. A babysitter kidnapped a child and later returned the child unharmed. The accused was sentenced to open custody and probation. Just because a child is returned unharmed does not justify a leaner sentence. The child was taken without consent and that is just wrong.

I would like to focus for a few moments on two children from British Columbia who were kidnapped during my tenure as a police officer and another, while I was a member of Parliament.



*Private Members' Business*

Michael Dunahee was born on May 12, 1986 and disappeared from the Blanshard Street playground in Victoria, B.C. on March 24, 1991. He was four years old. He has never been found. His parents were mere metres away when Michael was taken. His mother, Crystal, was instrumental in getting the AMBER alert program implemented in British Columbia. She also serves as the president of Child Find for British Columbia. Police officers across Canada were kept on alert for years after Michael's disappearance and many people across Canada volunteered their time to search for Michael. It has been over 20 years since Michael Dunahee's disappearance and we hope that he is still alive and he will be found some day.

Mindy Tran was kidnapped and murdered in Kelowna, British Columbia in 1994. As a member of the RCMP stationed in Penticton at the time, I was part of an enormous team assembled to search for her. The fear that gripped the city of Kelowna was very noticeable. For a young child of eight years old to be riding her bike on her street and vanish without a trace is something that no parent should be subjected to. Mindy was found about six weeks later, not far from her home, in a shallow grave.

The third and final child I would like to speak about is Kienan Hebert. Kienan was taken from his home in Sparwood, B.C. this past September. Kienan is three years old. It was the middle of the night and he was taken from his bedroom while the rest of his family slept. For four days, the people of Elk Valley, Canada and the international community were focused on the safe return of Kienan to his family. Through the efforts of so many, and some very good police work, Kienan was returned and his kidnapper arrested.

I have presented three kidnappings with three different results. The families of these children will never be the same. A child was taken from them without consent and those responsible for the abductions did not care in any way about the effects that they would have on so many. They only cared about their own gratification.

I now focus on the most important part of this bill: standing up for the victims of kidnapping and for some of the most vulnerable in our society, our children.

As a police officer for 20 years, I worked with victims of crime in the gravest of circumstances. Those who were subjected to traumatic events such as sexual assault or kidnapping will in most circumstances always be faced with that question: Why me? Most of the time there is no answer and, as such, the victims continue to relive the event and are subject to years of mental torture. There is also fear that the crime will reoccur.

I cannot say how many times I have had to convince victims that their giving a statement and providing evidence in court was the only way for the accused to receive justice. Most victims of crime are so fearful of the accused that facing them in a secure courtroom is a very tough challenge.

• (1110)

Subsection 279(1.1) of the Criminal Code of Canada provides for minimum sentencing when a firearm is used in the commission of kidnapping. In fact, the sentencing is most severe if, "the offence is committed for the benefit of, at the direction of, or in association with, a criminal organization".

Most kidnappings involving children do not involve a firearm. The child is either lured or physically manhandled.

Our children are more important than any criminal organization. As politicians, we have an obligation to ensure that we protect them at all costs. Children are fragile. They are to be nurtured and loved. They should not be subject to intimidation or fear. They should know all of society will protect them and stand up for their well-being.

In closing, I have received questions regarding the intention of the bill and whether it focuses on the kidnapping of children by strangers. My intention is to have the mandatory prison sentence apply only in cases where a stranger commits the crime of kidnapping a child under the age of 16. I am open to considering an amendment to my bill that would clarify that intention. I call on every member of this House to stand and support the bill.

• (1115)

**Hon. Carolyn Bennett (St. Paul's, Lib.):** Mr. Speaker, I thank the member for the clarification at the end of his remarks because on this side we have tremendous trouble with mandatory minimums and taking the discretion away from judges.

As a family doctor, I can say that many times we see women with severe post-partum depression, even to the degree that the father is given custody of the child. The way the bill is written at this time, if the very unwell mother came and took the child, hoping that was what was best for the child, that mother would be put in prison for five years.

Would the member explain exactly how he expects the bill to be applied and what amendment he is putting forward?

**Mr. David Wilks:** Mr. Speaker, this is specifically for a stranger only; it does not involve a parent or a parent of an adopted child. This is stranger-related, nothing further.

I do not want to involve sections 280 to 283 of the Criminal Code which already identify parent abduction or those who are responsible for the child legally. This is specific to a stranger-related kidnapping.

[Translation]

**Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP):** Mr. Speaker, I thank the member who spoke.

When I was a lawyer, I dealt with compensation for victims of crime. I also saw cases that were not pleasant. In general, the most serious cases are not covered by your bill. What I mean is that when there is a murder, the person is not looking at five years in prison, since the Criminal Code already automatically recognizes it as first degree murder, even if that was not the original intent.

All of the horrible crimes you spoke of are already covered in the Criminal Code by a minimum punishment of 25 years. That does not mean that the criminal will receive only 25 years, since it could be much more than that. All of that is covered by the Criminal Code.

The problem you spoke about is that people kidnap children. I am thinking about the unfortunate case where someone who kidnapped a child was sentenced to only three years in prison. But as soon as he got out of prison two years later, he killed a woman who was a corrections employee in Laval. So there is a problem.

But do we really need a minimum punishment? We would risk punishing individuals in certain situations, for example, in the case of a 21-year-old man who kidnaps a 15-year-old girl. In light of these types of situations, must we take away all freedom from judges?

[English]

**The Acting Speaker (Mr. Barry Devolin):** I would like to remind all hon. members to direct their comments to the chair.

The hon. member for Kootenay—Columbia.

**Mr. David Wilks:** Mr. Speaker, with regard to the member's question, this is specific to stranger abduction. If people do not know who they have been abducted or kidnapped by, this sentencing would then come into play. It is specific to strangers and nothing else.

• (1120)

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Mr. Speaker, I commend my colleague from Kootenay—Columbia. This is long overdue. I would like the member to talk about victims and the ramifications on victims' families. I have worked with families whose children have been abducted by strangers. I would like him to elaborate on the fact that we need to put the signal out that this is not acceptable in Canada and we cannot let criminals get away with this.

**Mr. David Wilks:** Mr. Speaker, the families of children who are taken are also victims because in most cases, as has been mentioned, the children do not come back alive. Historically, they are found murdered, left in shallow graves or sometimes, as in the case of Michael Dunahee, never found. Families live with that horror forever and ever. We have to send a message that in these circumstances of stranger abductions, if children are found and there are no other subsequent charges that heed stronger convictions, the minimum sentence for kidnapping by a stranger would be five years.

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, I am pleased to have an opportunity to speak today to Bill C-299, An Act to amend the Criminal Code (kidnapping of young person), a private member's bill which was just introduced.

We all have the same strong feelings of revulsion and concern when a child, a young person, is the victim of a crime of this nature, in fact of any nature. I know we collectively have a great revulsion to the crime of sexual predation and sexual assaults. All of us have supported increasing and strengthening of sentences in the case of sexual assaults.

I want to talk a little bit about this particular offence in the context of the Criminal Code. I do not think the prayer that precedes the House opening is in camera in the sense that it is secret, but in the prayer there is an exhortation to ask for support to make good laws and wise decisions in this House. It is kind of in this context that I want to talk about this piece of legislation.

It is a private member's bill in the context of the Criminal Code. I think we all know the Criminal Code is a pretty thick and integrated document with all kinds of inter-related sentences, penalties, crimes

and procedures. It has been a part of our criminal law since 1892, when the first code was brought forward.

The sentence for kidnapping of any person is life imprisonment. Although that particular sentence of life imprisonment may be rare for kidnapping, it is in fact not only available but has been used, in particular, in the case of a child. I will refer members to cases. The member said quite rightly that these are extremely rare cases. The fact is that we are going back over 20 years in British Columbia to come up with the three that the member mentioned.

There are also extremely rare cases to be found with pure kidnapping. The kidnapping offence is in the code. There is a series of them. There are abduction charges, forcible confinement charges, and abduction of a child charges, all with different types of approaches and different types of sentencing.

The essence of kidnapping is that someone abducts someone else and takes them from one place to another. In appropriate cases, and I say "appropriate" in the sense that it is the sentencing judge who looks at this. I will refer members to the case of Gillen, which is also quite an old British Columbia case. The offender abducted a child from strangers in order to raise him as his own. In this case, the offender received a life sentence for the kidnapping of a two-week-old baby.

We do see the courts treating the abduction of a child in these circumstances very seriously. I have done some research in response to the member's bill. I know that he is very sincere in bringing this forward, particularly in response to the publicity surrounding the most recent case. It is natural that we would want to follow that case and see what is going to happen to this individual.

To say that, in this case, a minimum five year sentence is appropriate in all cases is uncertain. The circumstances are extremely different in all cases. If we are talking about deterrence, sending messages or that sort of thing, the sentence of life imprisonment is not only available but has been used in the province of British Columbia. If that is not a deterrent or a proper denunciation, then one would have to question whether a minimum sentence of five years is going to have any effect whatsoever.

• (1125)

I do note, and I suppose we should not talk too much about this case because it is still before the courts, there seemed to be some question of mental capacity or potentially diminished responsibility. I do not know, but the family certainly seemed to be aware of something. At one time they said that they did not think that incarcerating the individual for a lengthy period of time would be necessarily appropriate, but obviously leaving it up to the court to decide what an appropriate punishment was for this individual.

We do take these crimes extremely seriously, and so do the courts, and this is one example that I brought forward..



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When we look at kidnapping cases generally, whether it is a child or an adult, sentences of 12 to 14 years are not uncommon. Six years is not uncommon, even for the abduction cases where it is not called kidnapping. The starting point, and that phrase was used the other day, is four years, so for aggravating factors it goes higher. However, for kidnapping, we commonly see sentences of 6, 8, 10, 12, 14, even more years for kidnapping, particularly if it involved premeditation, ransom and other charges of that nature.

Kidnapping offences are rare and the kidnapping of children is rarer still, but we do have in our justice system a system where the legislature, through the Criminal Code, sets out the seriousness of the offence by having a maximum penalty, and for the most serious offences, life imprisonment is the punishment. There are circumstances of first degree murder, et cetera.

It is very rare to have kidnapping cases that are simply about kidnapping. Sadly, they are often in connection with other crimes, whether they be of sexual assault or, in the most horrific of cases, murder. Even though they are rare, any case is horrific, any case is to be abhorred.

I will not make any special claim for being a parent, but I think that everyone understands how excruciating it would be if one's child were to go missing, we all feel that, even just keeping track of our children on an ongoing basis as a parent is expected to do.

There is a great deal of emotion about that. We do have a whole bunch of individual circumstances. The mover and one of the other speakers mentioned the difference in spousal situations where there is a dispute over custody.

No one is condoning the other spouse taking the child in these circumstances, but these cases are treated extremely differently by the courts, even in the extreme cases where a child may be taken to another country for some number of years.

These to me are very abhorrent cases as well, where a child is being deprived of the company, custody, and being able to grow up with the mother or other spouse, sometimes without any reason. It is not that the child would be endangered or anything with the other spouse, but is abducted just for mere reasons of a custody dispute, to resolve an uncertainty, or to prevent court proceedings. These are not excuses for the kind of child abduction that unfortunately takes place in spousal disputes.

To get back to the kidnapping, generally speaking we have a problem with private members' bills changing the Criminal Code. We just had an omnibus crime bill where all sorts of minimum sentences would be imposed. If that was important to the government, why was it not part of that?

Private members can introduce whatever bills they want, but it is the government and the Department of Justice that has the responsibility for shepherding the Criminal Code. As a matter of government policy if there are wholesale changes, they could be brought forth and debated through the whole process.

Generally speaking, changes to the Criminal Code by private members are a very difficult thing for us to accept as the official opposition. We have not seen a strong need for this in terms of either

the prevalence of the offence or the failure of the courts to handle it properly.

As noted by another speaker, the mandatory minimum sentences here take away the discretion of the courts to fashion an appropriate remedy, taking into account all the circumstances of the case.

• (1130)

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, I welcome the opportunity to speak to the bill before the House.

I will begin with a quote that sums up the government's approach quite nicely:

If one says "mandatory life imprisonment" quickly and often, without thinking about it too deeply, it sounds tough and that is what politicians like to do. It is easier and cheaper than taking time and committing resources to the development of policies that can address the causes of crime and reduce its incidence. The "tough" approach appeals to people who are driven by retribution; and they vote.

It is important to define what a mandatory sentence is. Ruth McColl provided a good definition of "mandatory sentencing" when she said:

"Mandatory sentences" are those sentences which a judicial officer is required to impose no matter what the circumstances of the offence. In other words, the judicial officer has no discretion to impose a higher or lower sentence depending upon the nature of the crime.

At their roots these types of bills emanating from the Conservatives suggest a lack of trust in our judicial system. The purpose of punishment for an offence is complex. The duty of the justice system is to protect the community from persons committing offences and to impose such sentences that are proportionate to the offence. In applying punishment, the justice system seeks to deter others by sending a message that such offences have consequences. The justice system must, by definition, be a just one.

That was not always the case. There was a time when punishment for offences was completely disproportionate to the offence, often arbitrary and inconsistent. It was that sense of injustice and the absence of proportionality that led to many reforms in England hundreds of years ago. Some of those reforms placed limits on the king's power to mete out punishment. It led to the introduction and evolution of the common law of which we in Canada are the beneficiaries.

The principle of proportionality is not a new one. It may be new to the Conservatives, but its origins are actually found in the Magna Carta of the 13th century. Clause 20 of the Magna Carta states:

A freeman shall not be amerced for a slight offence, except in accordance with the degree of the offence; and for a grave offence he shall be amerced in accordance with the gravity of the offence.

The subsequent centuries led to many more reforms and constraints on the king and the emergence of the Bill of Rights in 1689. A quick read of the Bill of Rights highlights the excesses of the monarchy in the exercise of justice, including excessive bail and fines and the imposition of punishments that were deemed to be illegal and of a cruel nature. That was the context in 1689.

Despite the emergence of the Bill of Rights, and the Magna Carta before it, mandatory penalties were applied to a long list of offences.

Let us use as an example the idea of capital punishment in old England. In the early 1800s in England there were an estimated 160 offences for which one could be sentenced to death and many people were executed.

William Blackstone, the famous English jurist, and yes, a Tory politician, wrote:

Yet, although in this instance we may glory in the wisdom of the English law, we find it more difficult to justify the frequency of capital punishment to be found therein; inflicted (perhaps inattentively) by a multitude of successive independent statutes, upon crimes very different in their natures. It is a melancholy truth, that among the variety of actions, which men are daily liable to commit, no less than a hundred and sixty have been declared by Act of Parliament to be felonies without benefit of clergy; or, in other words, to be worthy of instant death.

It was the uniform nature of sentences without regard to mitigating factors that caused Blackstone difficulty, and rightly so. Back then it was not uncommon with that lengthy list of offences for a child over the age of seven to be sentenced to death because the law said so without regard to circumstances. Today we would find that notion absurd and even horrifying.

• (1135)

The penalty and punishment had no regard to circumstance, age, or any other mitigating fact. It was so because it was a mandatory penalty. It did not allow a judge any leeway to assess a situation or to apply any sense of proportionality.

Another example of the use of mandatory penalties in England was the crime of arson. Again, despite the Bill of Rights with its roots in the Magna Carta, and despite the slow move toward proportionality in sentencing, England in the mid-18th century really had an issue with arson and applied a standard that would rightly be viewed as cruel and unusual in modern society, at least on this side of the House.

With few exceptions, arson was an offence met upon conviction with the sentence of death, regardless of age. Imagine, setting a grass fire or burning an outhouse led to a sentence of death, without regard to the circumstances.

Eventually, as the rights of individuals and a more enlightened and educated society emerged, jurists were given the power to assess cases and apply law in light of mitigating factors. That is the way it must be.

Should the punishment for an individual stealing \$10,000 from a bank be different from that of a young child stealing a set of golf balls from Walmart? Yes, of course. In order to say yes to that question, one must instinctively see the injustice that would arise if the sentencing were the same. It is for that and many other reasons mandatory sentencing is problematic.

Here in modern Canada, the Supreme Court of Canada has already determined that in some instances a mandatory sentence of seven years for certain drug offences is unconstitutional and deemed cruel and unusual punishment under the charter. The court said:

A punishment will be cruel and unusual and violate s. 12 of the Charter if it has any one or more of the following characteristics:

(1) The punishment is of such character or duration as to outrage the public conscience or be degrading to human dignity;

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(2) The punishment goes beyond what is necessary for the achievement of a valid social aim, having regard to the legitimate purposes of punishment and the adequacy of possible alternatives; or

(3) The punishment is arbitrarily imposed in the sense that it is not applied on a rational basis in accordance with ascertained or ascertainable standards.

I realize that perhaps my presentation today is tilted toward the history and evolution of criminal law, but history did not begin this morning. We are inheritors of the common law from our forefathers. It is important to note historical experience and to learn from it.

I have no doubt that members opposite believe that their approach to law is one that makes them feel happy inside. It is a “hang ‘em high” approach for sure. The Conservatives would have loved the 18th century version of justice in England.

Mandatory minimums are a failed policy, and stacking our Criminal Code full of them does nothing to reduce crime or improve public safety. Mandatory minimums do not advance the goal they purport to reach, that of crime prevention and of deterrence. We have examples from the world over, but we do not need to look beyond our borders for proof.

Our own Department of Justice published a study in December 1990. Members will note that was under a Progressive Conservative government. The study was called “A Framework for Sentencing, Corrections and Conditional Release, Directions for Reform”. Page nine reads:

The evidence shows that long periods served in prison increase the chance that the offender will offend again. In the end, public security is diminished rather than increased if we ‘throw away the key’.

The United States Sentencing Commission said earlier this month that mandatory minimum sentences are often “excessively severe”, not “narrowly tailored to apply only to those offenders who warrant such punishment” and “not applied consistently”.

• (1140)

The truth is that mandatory minimum sentences also have a disproportionate impact on those minority groups that already suffer from poverty, deprivation and disadvantage. That is certainly well known within our aboriginal community.

Mandatory minimums do not alleviate or address this problem; rather, they exacerbate it. To the Conservatives, the only thing they are tough on is evidence, facts and reality. We are seeing first-hand the wholesale importation of the American view of justice. It is irrational.

If my words seem particularly pointed this morning, it is because I worry about this country. I worry about the right-wingers across the aisle who are destroying the fabric of the justice system and replacing it with an American-style system that has been proven not to work. The member opposite and his party do not much care for statistics and evidence; what matters is how they feel. That cannot be the basis for making law.



*Private Members' Business*

**Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, I am pleased to have the opportunity to voice my support for private member's Bill C-299, An Act to amend the Criminal Code (kidnapping of young person), which was introduced on September 29 by the member for Kootenay—Columbia.

The bill proposes to impose a mandatory minimum penalty of five years on those convicted of kidnapping a child. Its objective is, without doubt, compelling in its simplicity. We must ensure a strong criminal justice response to those who would harm our children. I would like to be able to stand in this place and say that surely we can all agree that such offenders must be held to fully account for their crimes.

However, after listening to the purported history lesson on the law by the Liberal member for Charlottetown, I proffer more recent history. Before this government took office in 2006, there were already 40 mandatory minimum penalties to be found in the Criminal Code of Canada, either introduced by his party or never repealed by that party.

I understand that a recent British Columbia case, which took place in September of this year in the sponsoring member's riding, has brought this issue once again to the fore. A young child was taken from the safety of his home. That child was three years of age. The authorities mobilized quickly to ensure his safe return and, thankfully, the child was returned safely to his home. However, too often this is not the case.

Such cases remind us that we must remain vigilant in ensuring that we have in place a comprehensive response to these types of cases. We have heard about our tool box of offences that apply when these crimes are committed and comprehensive laws are important, but they are not enough. Significantly, we also have in place initiatives aimed at preventing these crimes from happening in the first place, as well as achieving effective enforcement of these laws. When such offences are committed, it is of extreme concern to the whole community.

Bill C-299 is an important piece of our broader response to this complex issue. This broader response includes the RCMP's Canadian Police Centre for Missing and Exploited Children, which is home to the National Child Exploitation Coordination Centre and the National Missing Children Services. The National Missing Children Services, which has been in operation since 1986, oversees the our missing children program, a program that is integral to the successful search for, recovery and return of a missing child to parents. It is an investigative and collaborative mechanism designed to coordinate missing children investigations. Such investigations are often complex and can span multiple police agencies and jurisdictions.

Reflecting this complexity, five government departments and agencies work closely together on this program: the RCMP, the Canada Border Services Agency, Citizenship and Immigration Canada, Foreign Affairs Canada and Justice Canada. Specifically, the National Missing Children Services assists law enforcement agencies in the investigation, location and return of a missing child by collaborating on cases with municipal, regional, provincial and national law enforcement agencies. It also provides a number of

services, such as computer age progression service; posting missing children photographs on the Our Missing Children website; distributing posters of missing children to partners, such as Walmart Canada, the Canada Border Services Agency and Passport Canada; managing a transportation reunification program for parents with financial needs to pick up their children; and liaising with the National Child Exploitation Coordination Centre investigators on Internet luring cases.

Also, research conducted by this unit contributes to policy development, the advancement of investigative processes and helps to better understand the nature and scope of the problem of missing children in Canada.

● (1145)

Another significant initiative is AMBER Alert. In 2004, AMBER Alert was implemented in every Canadian province. This alert is a voluntary national co-operation effort between police and local broadcasters to rapidly disseminate information about a child who is believed to have been abducted and whose life is believed to be in grave danger. The National Missing Children Services provides information to law enforcement agencies by coordinating and monitoring the implementation of this alert system.

In addition, supported in part by the Government of Canada, as well as private sector organizations, the Canadian Centre for Child Protection is a non-profit, charitable organization dedicated to the personal safety of all children. The centre's new MissingKids.ca website provides a link and an information portal for parents, particularly of missing children, and an in-depth resource of law enforcement agencies across Canada. It is designed to assist in the location of missing children, provide educational materials to help prevent children from going missing, be an information resource centre on missing children and coordinate efforts and assist stakeholders in the delivery of missing children's services.

I am very pleased to have the opportunity to review these comprehensive initiatives that both implement preventive measures and seek to achieve effective enforcement of our criminal laws on this issue. However, I agree that we can always do more and Bill C-299 provides us with an opportunity to do just that.

Obviously, it would be better to prevent these crimes altogether from happening in the first place. However, sadly, despite our best prevention efforts, we know they do happen. It is not a matter that they do not happen very often. One is too many and one is too many for any family who has been put in this position. We need to be able to respond effectively and appropriately when they do.

There are many Criminal Code offences that may apply to cases involving kidnapping of children, depending on the facts of a given case. These include: kidnapping, subsection 279(1); forceable confinement, subsection 279.1(2); child abduction, sections 280 and 281; and a number of other offences, including child sexual offences, sections 151 to 153; general sexual offences, sections 271 to 272; and even the luring a child offence, section 172.1(1), which criminalizes communicating with a child by means of a computer system, such as the Internet, for the purposes of facilitating the commission of any of the listed child sexual and abduction offences.

Our laws are comprehensive and I am pleased to have the opportunity to support a legislative initiative that would further strengthen these laws. Bill C-299 would ensure that a stronger, more appropriate penalty is imposed upon those who kidnap children. This is not only a praiseworthy objective but also a significant enhancement of our current criminal justice response to this very serious issue.

I understand that the sponsor of the bill has expressed openness to considering an amendment that would clarify the intention of the bill. It is now clear that the hon. member's intention was always to capture the kidnapping of children under 16 by strangers, not parents or those who would stand in loco parentis. Having practised family law for many years before becoming a member of Parliament, this distinction I know to be very important. I am happy that the hon. member is willing to clarify this and I am sure it is something we can consider if and when the bill is studied by the Standing Committee on Justice and Human Rights.

I support Bill C-299 and I encourage others to join me in my support. I thank the member for Kootenay—Columbia for giving us the opportunity to discuss these issues. They are, undeniably, of national importance. We all need to do everything we can to keep our communities and our children safe.

• (1150)

[Translation]

**Mr. Jonathan Genest-Jourdain (Manicouagan, NDP):** Mr. Speaker, it is with great pleasure today that I bring to bear my experience as a criminal lawyer after six long months away from the courts.

The current matter before Parliament provides me with an opportunity to make a case that, I hope, will be taken up by my fellow lawyers. First of all, I have to say that my colleagues have often described my interventions as *obiter dictum*, that is to say that my comments are tangential. However, to my mind, the facts that will be presented today should be brought to the attention of Canadians, even though I do not attach much importance to minimum sentences and other technicalities.

Therefore, I must say that my first reaction, with respect to the bill submitted to the House for consideration, naturally was to inquire as to the position of the Barreau du Québec on the issue. This allowed me to focus my presentation to the House on the considerations pertaining to the kidnapping of children by strangers. As we have already heard, that is today's subject.

This quite deliberate focus will nevertheless result in consideration of the responsibilities that must be assumed by the father, the mother, the guardian or the person with legal custody of a child to prevent such a social tragedy.

In keeping with my previous speeches, I will inform the House of the social realities and repercussions of crimes against the person that have been perpetrated in Canada's aboriginal communities. It is especially appropriate to take this approach to this issue because the kidnapping and disappearance of aboriginal young people is a reality in Canada. It is such a current issue that, at the meeting of AFNQL chiefs last week in Ottawa, this matter was again discussed by the members and the chiefs heard testimony about this from the

### Private Members' Business

Anishinabe community. It seems that young women were still disappearing recently from this community. This was also the theme at the Sisters In Spirit walk in which I participated in Montreal just over a month ago. Representatives of communities across Canada chronicled the disappearances that have taken place not just in British Columbia, but all over Canada.

The notion of kidnapping echos what happened in the past in communities dealing with the effects of Indian residential schools. Having worked on and dealt with a few cases of financial compensation linked to Indian residential schools, I can assure you that those communities regard the experience as a kind of kidnapping. RCMP officers showed up at people's homes and simply took the children and cut them out of the family unit. It was like kidnapping. I wanted to make this point clear.

With that part of history now behind us, it seems that many situations compromising the physical integrity of youth are currently happening on reserves in Canada. Because of the deterioration of the social fabric in some aboriginal communities in Canada, negative influences are corrupting young people who are struggling with serious identity crises. As we know, elements of the criminal underworld have been able to infiltrate family units and the clan dynamic that is characteristic of aboriginal communities, all with a view to perpetrating criminal activities in remote regions.

According to an Amnesty International report published in 2009, sexual predators and people who commit crimes against individuals in general deliberately target aboriginal people, since those acts can be motivated by racism or by the belief that society's apathy regarding the well-being and safety of these aboriginal young people will allow the criminals to escape justice.

The obvious social and cultural challenges that some of these communities face on a daily basis constitute fertile ground for the corruption and exploitation of disillusioned youth. This finding is especially damning considering that, last week—so this is very recent—the QMI Agency reported that, in the western provinces, most children involved in the sex trade are aboriginal.

• (1155)

This is where parental authority comes into play. I will draw from empirical experience and my personal experience to illustrate what I mean. Having spent most of my life on a native reserve, I think it is important for me to offer some criticism about the *laissez-faire* attitude within many family units in my home community.

In some cases, youth who are drifting through life do not have model parents. In short, the youth are drifting because their parents are drifting. The lack of parental supervision stemming from the climate of infantilism that can be seen on the reserves paves the way to exposing children to criminal elements. When I talk about the climate of infantilism, I am of course referring to how the parents in the communities distance themselves from the parental role, which is ultimately theirs.



### Government Orders

We know that traditionally, in the woods, young people enjoyed a freedom and an independence that allowed them to hunt and provide for the family unit. However, transposing this reasoning and these facts to contemporary realities is dangerous. Nowadays, in the communities, young people are forced to grow up too fast and take care of their younger brothers and sisters. Often the parents revert back to being adolescents themselves and the young people end up having to support the family. Again, this paves the way to criminality.

Accordingly, it is important to distinguish between kidnapping offences involving the father, the mother, the guardian or the person having the lawful care or charge of the child and offences involving third parties. I know that hon. members have emphasized this distinction throughout their speeches. Although some cases might be handled in criminal court, most cases involving people who have parental authority are referred to family court.

We know that matters involving habeas corpus, custody and child support are referred to family court in Quebec. I think cases of kidnapping by a parent should be—and are—dealt with in civil court since the parents ultimately have parental authority over those children. This also includes oversight over custody and all manner of things.

All of this is respectfully submitted.

• (1200)

[English]

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Mr. Speaker, I am pleased to rise today to commend my colleague, the member for Kootenay—Columbia, for putting forward Bill C-299.

This is an important bill to strengthen Canada's legislation on kidnapping. As an RCMP officer for over 20 years, this member has been on the front lines, protecting and serving many communities throughout B.C. My own son is an RCMP officer. I thank the member for his service to our country.

The member has tabled a bill that I strongly support. Bill C-299 will amend the Criminal Code under subsection 279 (1.1) to include a mandatory minimum sentence of five years' imprisonment if the kidnap victim is under 16 years of age. This is an important amendment, as it recognizes the grave implications of kidnapping a minor.

I want to recognize that this legislation focuses on stranger abductions, which are abductions by someone other than the parent or the legal guardian.

During his comments, the member for Kootenay—Columbia referenced a number of kidnapping cases that he was involved in, some with heartbreaking outcomes. The abduction of a child is an egregious crime that has significant implications on the child, the child's parents and family, and the community at large.

The impact on the child is most serious, as the child is often sexually or physically abused. If the child is never rescued, this abuse can go on for years. In other cases, the children are murdered and never have the opportunity to live out their lives. In those cases in which the children are rescued, they often face years of physical and psychological trauma.

It has been documented that the impact of abduction on children includes depression; loss of community; loss of stability, security and trust; excessive fearfulness, even of ordinary occurrences; loneliness; anger; helplessness; disruption of identity formation; and fear of abandonment.

In 2003, the RCMP report entitled *The Abduction of Children by Strangers in Canada: Nature and Scope* noted that teenagers between the ages of 13 and 17 years were at the highest risk and more likely to be abducted by strangers. I want to emphasize a few other important statistics from this report on the profile of Canadian child abduction victims.

Female children are more at risk; however, younger victims were found to be more often male, aged from birth to age three. Females from pre-school through high school, aged three to 18 years, were at least three times more likely to be abducted than males. When murder followed an abduction, adolescent females aged 13 to 17 years were at the highest risk, followed by young females aged one to 12 years, then young males, and then adolescent boys.

Parents and families are also put through devastating emotional trauma in having their children ripped away from them. They face significant anxiety, not knowing the condition of their children or if they will ever be reunited. There is often deep guilt around whether they could have done anything different to prevent the kidnapping. There is also a general fear and anxiety placed on communities where the abduction has taken place.

In Canada, numerous stranger abductions occur every year.

**The Acting Speaker (Mr. Barry Devolin):** The time provided for the consideration of private members' business has now expired, and the order is dropped to the bottom of the order of precedence on the order paper.

The hon. member for Kildonan—St. Paul will have six minutes remaining when this matter returns to the House.

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## GOVERNMENT ORDERS

[English]

### MARKETING FREEDOM FOR GRAIN FARMERS

**Hon. Ted Menzies (for the Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board)** moved that Bill C-18, An Act to reorganize the Canadian Wheat Board and to make consequential and related amendments to certain Acts, be read the third time and passed.

• (1205)

**Hon. Wayne Easter:** Mr. Speaker, I rise on a point of order. It has come to my attention that in the gallery this afternoon, there may be a demonstration sponsored by some government members. Mr. Speaker, you should be aware that on Agri-ville.com, there is a note that says, “Randy is looking for folks that might get to Ottawa tomorrow—yes, tomorrow. The bill will make third reading, and I gather he would like some clappers”.

**Mr. David Anderson:** “Clappers”; there's one.

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please.

**Hon. Wayne Easter:** While there was a demonstration in the gallery that caused a considerable amount of flack, of course I want nothing to do with it. However, I wonder if this “Randy” might be the member for Prince Albert. In fact, I know there was a personal email from the member for Prince Albert.

I would question and I would wonder why the government would be encouraging clappers into the gallery for a bill that is so undemocratic in its very being. It takes away the voice of farmers; it takes away their vote and it actually destroys single desk marketing.

Mr. Speaker, I am just giving you forewarning to expect a group of clappers. There are not many who apply for intake, and this is a serious matter.

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, on the same point of order, perhaps in light of this information it would be fitting for you, as the Chair of this place, to remind everyone in the gallery that they are not allowed to clap in the gallery. They are not allowed to lean over the edge. They are not allowed to drop paper. They are not allowed to make any noise. They are not allowed to jeer or boo.

If the government is parachuting in a bunch of people to try to disrupt Parliament, perhaps we should put some order into this debate at the front end, instead of allowing the Conservatives to come in here and steamroll over the rights of Canadians with their undemocratic legislation and to disrupt Parliament with a bunch of goons and stooges they parachuted in here and paid for.

**The Acting Speaker (Mr. Barry Devolin):** Order, please.

If the hon. member for Winnipeg Centre had waited, that was precisely what I was going to do: remind all members of Parliament and all members of the public who are sitting in the gallery of the rules of this place. People in the gallery may not participate in the goings-on here on the floor; if anyone in the gallery has such intentions, I would remind him or her that it is not allowed and it is not accepted in this place.

With that, let us resume debate.

The hon. Parliamentary Secretary for the Canadian Wheat Board.

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):** I can assure you, Mr. Speaker, that on our side of the issue, our supporters are much more mature than we see from some of the other

### *Government Orders*

supporters on the other side. If the member from the NDP had wanted to give this lecture, perhaps he could have given it to his young colleague from Churchill last week when she signed in someone who did disrupt the House.

The folks who have come here today are here to celebrate the bill and we are very happy to have them. In fact, over 60 farmers have come here from western Canada at their own expense. They are excited to be here today because they believe in freedom. I am sure they will be in the gallery and will spend the day with us. They are as excited as we are that we are finally at third reading on Bill C-18.

A lot of these folks are my heroes. I get very disappointed when I hear the member for Malpeque and my colleague from Winnipeg denigrate them. He called them goons and stooges. I actually call them friends, and I am proud they are my friends. They are people I have looked up to for many years because they have been willing to stand with the courage of their convictions. This is a very important issue to them and we look forward to moving ahead with them.

I should point out as well, we have two agricultural ministers, the ministers from Alberta and Saskatchewan, who are here this morning. They felt it was important enough to let Canadians know that this issue needed to move ahead. Members probably saw them at the press conference in which they talked about how this showed that democracy did work. One of the ministers said that 10 farmers were jailed and because of that, this was a good day and they needed to be here.

It is time to move ahead with the bill. It is time it move to the Senate and be passed so that by January 1, western Canadian farmers can have the same rights as every other producer across the country.

A number of my colleagues will speak later. I know they will talk about some of history of this, but I want to review it for a few minutes because I know some of the folks opposite either do not know, or do not want to know, the history behind the Canadian Wheat Board and why it was established.

People need to understand that the prairie pools were established in the 1920s and worked very well. Through the 1920s, they were voluntary pools and by 1927 they handled over 50% of the grain deliveries on the prairies. That was all voluntary. The other 50% of the grain was delivered by producers. They were free to market it as they chose. That system worked very well. It is interesting that when the pools started off, farmers did not have grain handling facilities and within a couple of years, they constructed some of their own facilities. Then by 1927 they had about 15% of the facilities on the prairies, but handled over 50% of the grain. Therefore, a lot of the arguments we hear from the opposition today are not anymore valid today than they were in the 1920s.

From 1923 to 1931, the open market served as an alternative channel. Competition was allowed and people were comfortable with that. In the 1930s the depression hit and the pools had some financial troubles. They were trying to buy grain when they should have been selling it and they went broke. That is when the government stepped in.



### *Government Orders*

In 1943, in the middle of the war, a decision was made. A couple of things happened. There had been some small crops, the price of grain was skyrocketing and there was need for cheap grain in Europe, so the Government of Canada stepped in. The order-in-council said that there were two reasons that the board was made mandatory in 1943. One was to stop inflation and the other was to supply cheap grain to Europe. Both of those things cost farmers money.

Therefore, right from the very beginning of the imposition of the monopoly farmers paid the price for it. There are farmers in Western Canada who recognize that even in those days, in the 1940s and 1950s, they were paying the bill for other people. That continued through the 1960s and 1970s and as it did, more and more opposition built up toward the bill. In the 1990s farmers finally had enough. A group of farmers, "Farmers for Justice", was formed to stand up for the rights of farmers.

We know the story. The Liberals were in power. The farmers tried to export their grain, some of them as little as a few pounds of grain. They took it to the United States and when they came back, they were arrested and charged. It was not good enough for the Liberal government to charge them, but then insisted they go to jail as well. We have a number of people with us today who had the courage of their convictions, who went as far as being willing to go to jail in order to try to get freedom for the rest of us.

• (1210)

It is a pretty remarkable thing to go from the situation in the 1940s, when the voluntary situation was made involuntary and was imposed on people. Then we get to the 1990s and early 2000s and people want a change. Why would that happen? What kinds of things would happen that would make western Canadian farmers demand these kinds of freedoms?

First, they saw that other farmers had those freedoms and they wanted the same freedom. Even more basic than that, there has been a huge change in what happens on the farm. In the old days, when we talked about transportation, we talked about horse wagons and eventually one tonne and two tonne trucks that people would use to haul their grain to town. They could only haul it a few miles to the local elevators, with 30 or 40 bushels at a time. It gradually evolved to three tonnes and then to tandems and now today we have huge semis, B-trains that haul 1,500 bushels at a time and people can haul hundreds of miles if they need to.

Short lines have now been established, which were not in place in the old days when there were only two railways with which people had to deal. Short lines give them options for transportation. On the farm, things have gone from steel wheels to GPS. They have gone from one bottom plows to autosteer sprayers. They have gone from standing sheaves in the field to 450 horsepower combines.

Communications have changed almost as much as the technology. There was hardly any in the old days. People had their information locally and most of them did not even have phones. They would haul their grain to the local elevator, find out what the price was and that was the best they could do. Maybe they had a weekly newspaper or radio that they listened to once in a while, but they were dependent on the local elevator agent for their help. That has changed, and we all know that.

When farmers get up in the morning, the first thing they check is their BlackBerrys and prices. They are ahead of the grain companies. They know at the beginning of the day what they need. They are on the Internet, on Twitter, on Facebook. The daily pricing is available instantaneously to them. They rely on that.

I can give a couple of examples of how the Wheat Board does not and did not react in the old days and why we need change today. I have told this story before. My area in the early 1990s had some frozen grain. The Wheat Board told us it really did not want to market it, so we looked for another market and found one in Montana. We told Wheat Board we would sell our grain in Montana. Then we had a call back from the grain company telling us not to bother, that it was able to buy grain. It turned out it was buying our grain for quite a bit less money than we had arranged with the company. We followed the trucks from our elevators in Frontier, Climax and Shawnaton, Saskatchewan, across the border and to Montana. We watched them dump that same grain into the pit. We had done a better job of marketing it than the Wheat Board had. It took the grain away from us and sold it at the price it wanted to.

Last fall we had an issue with grading of lentils. In the past these issues would take weeks and weeks to generate even with the frozen grain issue. It took several weeks for us to find out what we would do with it and how we would react. With the grading of lentils, within two or three days people were calling us and telling us there was an issue. Things were pretty much resolved within a week. How things changed with the communication, when farmers were unable to find out what was going on. Now they know ahead of everyone else what needs to be done.

Times have changed. There is a new era that has finally arrived and it is providing the same opportunities for western Canada that farmers across the country have had for such a long time.

I was thinking about this the other day and a question came to my mind. Can those of us in western Canada even understand what freedom will really be all about when we have been locked in this structure for so long? I want to talk about a few of those possible potential opportunities.

First, there are growing and specific variety opportunities. We watched the Swift Current research station develop grain varieties over the years. Many of these varieties because of our grading system have ended up being grown in Montana, not in western Canada. We have had to watch other people grow the grains that we have paid to develop and that should have been available to us.

We are moving into a new era with things like bioproducts and nutraceuticals. What a good time for western Canadian farmers to be able to participate in those kinds of things. We are moving into a time where there are niche strains, where people around the world are asking for small lots of specific grains. Farmers in western Canada have asked for years if it is possible for them to export just a small amount of a particular type of barley or a particular type of durum. The answer has always been no, that the Canadian Wheat Board is not interested in those small lots.

• (1215)

There will be marketing opportunities. There will be opportunities to market through the new Canadian Wheat Board or marketing oneself. People will have a real choice in their marketing.

There will be business opportunities. We have already heard of some of the companies that want to do the value added. They want to spend money in western Canada. That is a different story from what we have heard over the years.

Companies are already committing to new spending. They are talking about investing and new companies are talking about coming into western Canada for the first time. How exciting is that for those of us who live there?

There are personal business opportunities as well. There are at least two examples in the past where those things have been stifled. A young couple I was baking bread and taking it the local farmers' market. The couple's business started to grow and grow and it was making more and more bread. One of the supermarkets wanted to put the couple's bread on its shelf. It was at that point the Wheat Board stepped in and told the young couple that it did not need to do this, that it would market the couple's grain and it did not need to worry about this. Therefore, the couple was not able to continue with it.

Another example was somebody who wanted to grind flour. The Wheat Board interfered with him at every level it possibly could over the years. I know he will be one of those folks who has been waiting a long time for the freedom he will finally have.

On a bigger scale, farmers who wanted to start durum processing plants and pasta plants in western Canada were not even allowed to deliver their own grain to their own companies. The Wheat Board stepped in and disallowed that, so we watched those plants being built in North Dakota.

Entrepreneurs will have all kinds of opportunities. It will be homegrown products, businesses that want to export specialty flours and pastas. There are all kinds of opportunities.

This morning provincial ministers said that they believed there would be provincial opportunities to diversify the economy of the provinces as well. We have always been hewers of wood, drawers of water and growers of grain. This gives us a chance to do so much more.

I want to take a few minutes to talk about innovation, because an open market will attract investment, encourage innovation and create value-added jobs. We will be building a stronger Canadian economy, not just a stronger western Canadian economy.

The wheat and barley business in Saskatchewan alone is a major driver of our economy, bringing almost \$2 billion per year to the farm gate. I am confident we can grow that business under marketing choice. Stephen Vandervalk, president of the Grain Growers of Canada, said, "We hope that with an open market we will see far more milling, malting capacity, and we will not need to ship our grain across the mountains". I think that is the wish of every western Canadian farmers.

### *Government Orders*

We are sensing a new excitement about value added. I already mentioned that we have commitment. For example, Alliance Grain Traders recently announced a \$50 million multi-purpose durum and pulp milling facility in Regina. It is great news for durum growers, especially when we hear that Italy is set to increase its imports, due to a supply shortfall in the EU.

Marketing freedom is fundamentally about innovation and about freeing our farmers so they can innovate as well. Innovation has always driven growth in agriculture. I talked a little about that earlier. That is one of the main reasons why our government is working right now to bring marketing freedom to wheat and barley growers in western Canada.

The other day I talked about how value-added processing has taken place in so many of the other crops, the open market crops like canola, oats and flax. We need to have this opportunity for grains as well. We need to tap into the new niche markets for wheat and barley. We can do that through specialty pools, through value-added investment and through all kinds of other innovative strategies.

This will work for the entire value chain, attract new investments to the prairies, create new jobs and revitalize rural communities. It will grow wealth in western Canada. That is why we need to move ahead with this.

I mentioned the other day about canola and flax, but I do not think the opposition understands how big those crops are in western Canada. They have grown from virtually nothing to where canola is now the major crop in western Canada in terms of value. It brings almost \$5.5 billion to the farm gate each year. It is driving 70% of world canola exports. It has become a flagship product of our agricultural industry. It demonstrates world-class innovation. It demonstrates the Canadian reputation for food quality. These are the kind of things we can carry over to grain as well, once the bill passes.

Flax is another one of those Canadian success stories. It is used in a host of products, animal feed, flooring, all different kinds of things. We are one of the largest suppliers of flax in the world, accounting for almost half of the world's supply.

• (1220)

Those are just two examples of areas where western Canadians have been able to do their own thing, go to market and grow their own product. They have been extremely successful at that.

I want to talk a little about our agricultural scientists. Over a century ago they tested a new variety of wheat that opened up the west and made Canada into a global grain powerhouse. Today I feel we are standing on the edge of another new era such as that. It is one that will breathe new life into our grain industry and open up a world of possibility for farmers.



### *Government Orders*

I think that one of those developments that scientists are doing for us is kind of a neat thing. We put \$4 million into the wheat genome project in order to get new varieties to farmers faster. Just recently, a new exciting durum variety was developed by our scientists in Swift Current, Saskatchewan. It has come onto the market and it offers growers strong yield advantage and improved disease resistance. I do not think that it is a coincidence that its name is AC Enterprise. What better way to usher in marketing freedom than to bring a new spirit of enterprise to our durum producers across the Prairies.

There is a record to be broken in the number of investments our government has made to support Canadian farmers. We have been committed to farmers. We stand with them and we have their backs. We will continue to make those investments that will help bring the sector forward. We want them to have long-term prosperity.

Farmers do not want to be held back by antiquated systems that restrict their ability to run their businesses as they see fit. I am proud that our government is willing and able to bring marketing freedom to western Canadians farmers.

I am very disappointed with the board of directors at the Canadian Wheat Board and their reaction to this bill. They had the option to stand up for farmers and it is time that they did because we are moving ahead here.

**Mr. Kevin Lamoureux:** They did.

**Mr. David Anderson:** I am getting a little heckling from someone across the way. He does not like the fact that we are moving ahead and giving farmers choice. He would like to keep them, as I said earlier, in an antiquated system that allows them no choice. Somehow he thinks that would bring them prosperity and we know that is not true.

The board of directors actually had an opportunity to step forward and say, "We're going to work with the government. We realize you've had a long-time promise, a long-time commitment to bring marketing freedom to western Canadian farmers. We understand that you're going to do that and so we're going to join with you. We're going to stand alongside you so that western Canadian farmers can get the best deal out of these changes that they possibly can".

What did they do? Instead they took the position and said, "We're going to fight at every turn to stop this. We're going to make sure that it doesn't go ahead".

They went so far as to come down here to meet with the opposition and say them, "We want you to disrupt this bill permanently. We want you to drag this out so that by the time the government is able to implement, it destroys the markets for western Canadian farmers".

What kind of responsibility is that? These are folks who were supposed to be marketing western Canadian grain. However, they come down here and tell my colleague from Winnipeg Centre that he should be trying to disrupt things for as long as possible, so that when I go to deliver my grain, and the farmers who are so much a part of what we are doing here today go to deliver their grain, the markets would be destroyed for them. We do not need that. This is why we have made the changes that we are making in the act.

We are going to bring forward a voluntary Canadian Wheat Board. We are going to set it up so that it has the opportunity to be successful for farmers. It is going to have government backing in terms of its payments and borrowing. We believe that other companies are going to come to the board and say, "This looks like a very useful way for us to participate with you in the pooling of grain".

We believe that passage of the bill would give farmers the certainty they need to plan their businesses for the coming year. We need this passed quickly so that beginning in January they can do that.

This bill would give customers here at home and around the world the assurance that they can continue to count on a supply of high quality Canadian wheat and barley. The legislation delivers on our long-time commitment to western Canadian farmers to give them the marketing freedom that they deserve.

I encourage members opposite to join with us to ensure the swift passage of the legislation both here in the House and in the Senate, so that we can give western Canadian farmers the freedom and stability that they so richly deserve.

• (1225)

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, perhaps the most charitable statement we could make about the government's ideological crusade to abolish the Canadian Wheat Board is that it is one of these issues where reasonable people can reasonably disagree on what the best options are for prairie farmers to market their grain. I am perfectly willing to have this debate on that level. However, it is almost impossible to have a reasonable debate when the other side will not conduct itself based on reason, logic, impact studies, empirical evidence and economics. It seems to be solely driven by the personal anecdotal frustrations of the parliamentary secretary himself.

When we ask for the cost benefit analysis and the business case for abolishing the Canadian Wheat Board, there has been absolutely nothing tabled anywhere, within or outside of the House of Commons. The Conservatives simply say anecdotally that when they go back to their neighbourhoods and talk to their immediate neighbours, they are all for getting rid of the Wheat Board. That is not scientific.

We were promised a vote, a plebiscite, of all prairie producers. We would be perfectly happy to be bound by such a plebiscite.

I ask the parliamentary secretary, is the only research document he has that outdated one done for the province of Alberta a number of years ago? We have the empirical evidence that the Wheat Board gets the best possible price for prairie farmers for their grain. Where is the evidence to the contrary? Where is the business case for abolishing the Wheat Board?

**Mr. David Anderson:** Mr. Speaker, there is absolutely no empirical evidence at all that the Wheat Board gets anything other than to pool our grain right now.

*Government Orders*

We believe that farmers need freedom. That is what I have promised them throughout my whole political career. That is what has been promised by so many members on this side of the House because it is critical to us. We believe that people should be able to make their own choices.

There are a couple of reasons why. One has to do with how the Wheat Board has spent the farmers' money over the last few years. Last year it held an election. I did not hear the member bring that up at any point and criticize it. Within the middle of the election campaign it refused, denied permission to the people who were running, to tell the farmers that it had spent somewhere between \$60 million and \$100 million on two ships.

This entity, that was supposed to be trading my grain and the grain of farmers across western Canada on its own, decided that it needed to spend somewhere around \$100 million to go into the shipping business, which it was not trained nor set up to do. However, without consulting farmers, it decided it needed to do that.

I can provide other examples. For instance, there was the advertising campaign in the last few weeks. Maybe I will get to answer that in the next question, but it spent millions of dollars of farmers' money without talking to farmers about that.

• (1230)

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I am actually shocked that a member who took an oath of office as parliamentary secretary to the Canadian Wheat Board would try and rewrite history today by only talking about the Wheat Board from the years 1943 to the 1990s. What he failed to talk about was the changes which occurred in 1997 and 1998 wherein it became a farmer controlled board with elected farmer directors who were elected in 10 districts. Eight out of those ten directors are pro board, including the Wheat Board director from that member's own riding.

In the following 10 years, the Wheat Board provided all kinds of options in terms of marketing, including more options than the open market will allow farmers today. What they were assured in that legislation is that they would be given a vote. They were assured through legislation that they would be given a vote on the future of the Canadian Wheat Board and whether grain would be added or taken away. The government has denied them that voice and that vote.

Setting aside the dishonesty of the parliamentary secretary on the history of the board, I have one question.

**An hon. member:** That's unparliamentary.

**The Acting Speaker (Mr. Barry Devolin):** Order. I would remind all hon. members to refrain from using unparliamentary language when referring to their colleagues.

The hon. member for Malpeque's question please.

**Hon. Wayne Easter:** Mr. Speaker, the movement of grain is 900 miles in Canada from tidewater position. Looking at the future under this new government controlled board, I ask the parliamentary secretary, what arrangements have been made for the transportation and collection systems of the grain across the Prairies to ensure that the quality and variety of grain are moved off the Prairies, from the farms through the grain elevator system, on the main line and into

the hold of a ship, in whatever port it may be in at the time, so that farmers do not pay demurrage?

**Mr. David Anderson:** Mr. Speaker, I have heard the member's rhetoric and one thing that really disappoints me is that he seems to think that somehow the quality and variety of western Canadian grain is due to the Canadian Wheat Board. We all know that it is due to the good efforts of Canadian farmers. It is not due to the Wheat Board. The Wheat Board merely handles it for farmers and farmers have been forced to deal with it. It is the farmers who grow the grains. It is the farmers who have had the highest quality grain produced around the world, and it is farmers who will continue to do that.

I want to address the beginning of his question before he got around to his insults. In 1990 I do not remember the Liberals coming to me and asking about changing the Canadian Wheat Board legislation. I do not remember them continuing to make it mandatory and coercive because they did not talk to me about that. They just made the changes they wanted to put in place. They never asked farmers what they would like. If they were to have asked then, I would have given the same answer so many of the other people who are here today would have given, which is that we wanted real choice and freedom. If they were to have granted it then, perhaps things would be different now, but we need to move ahead and give western Canadian farmers the freedom they deserve.

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, I am wondering if these so-called free enterprises and people who came to Ottawa witnessing this really understand the impact of what is going on.

As a follow up to what my colleague from Winnipeg Centre said, there have been no impact studies or economic analyses on what is going on. Have Conservatives looked at the Australian experience? Three years after Australia deregulated its wheat board and split the coalition, farm groups say the new system is proving to be dangerous and a freakish place that has already brought about one co-op that has become unstuck. The quality now is fragmented. World markets cannot be assured of quality because this so-called deregulated board cannot function and does not have the clout it had before. If we look at it, 23% of the market share of this voluntary board in Australia collapsed without the single desk.

Has a study been done to assure us that these companies are going to pay the premium price that farmers are getting now, and that with around \$500 million in revenue brought to farmers, it is not going to go into the pockets of some of the board of directors of Cargill or some of these other companies?

• (1235)

**Mr. David Anderson:** Mr. Speaker, so far the NDP has called western Canadian farmers stooges, goons and so-called entrepreneurs. I am sure the list of insults will go on through the afternoon, which perhaps is why it has been so effective in western Canada.



*Government Orders*

We have studies. We have studies galore that talk about the advantages of the free market and allowing people to make choice, and New Democrats know that. Perhaps they have not looked at them. The discussion has gone on for decades. We know that farmers are going to benefit from this.

It is interesting that the New Democrats mention Australia. There are a couple of things they never mention. They never mention oil for food. They never mention the fact that the board is broken up there because people are engaged in illegal activity. They also do not mention that since the board is gone in Australia, the amount of wheat acreage has gone up. I can say the same for Ontario. People are focusing on growing grain because they can.

The NDP needs to understand that Australia has doubled its credit to exporters and increased its customer base. It is doing a very good job competing. We need those same opportunities so that our farmers can compete.

**Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC):** Mr. Speaker, I will not pretend to be someone I am not. I am from the riding of Peterborough, which is not under Wheat Board jurisdiction. I am not from the city of Winnipeg or Guelph, or Prince Edward Island. I am a person, though, who grew up on a farm and knows about growing crops, harvesting crops, having the crops come off the auger of the combine, and watching the fruit of one's labour. I cannot imagine being in a country today, Canada, where I would not have full say over my product. That is what this party is standing for. We have overwhelmingly elected all of the members from the Wheat Board jurisdiction.

Could the member tell me if he has spoken to farmers in his riding who believe the grain is, in fact, theirs and that they should have jurisdiction over it, not the Wheat Board?

**Mr. David Anderson:** Mr. Speaker, this is a remarkable question because in western Canada right now the grain does not belong to the farmers. They cannot do what they want with it. In the spring, farmers spend hundreds of thousands of dollars. This spring they were out in the mud, trying to get a crop in and growing. They spent money on fertilizer and spray, and spent the summer bringing the crop in. In the fall, they spend hundreds of thousands of dollars on machinery to try to handle the crop and then they harvest it. They brought in the crop this fall, which was a great fall in most places, and put it in their bins, just to be told that it is not their grain.

We want to change that, so western Canadian farmers know that when they put the grain in their bins, it is their grain, and they are going to be able to do what they want with it. They look forward to that opportunity and we look forward to giving it to them. That is why we need to pass this bill as quickly as possible.

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, I thank the House for the opportunity to speak to Bill C-18 at third reading.

I will simply restate what I said in my comments to the parliamentary secretary. This is one of those debates in the House of Commons where reasonable people can reasonably disagree. There are two sides to this debate. When the issue was put to a vote of prairie farmers, the result was split. Some say that it was 60:40, some say that it was 40:60 and some say that, if the right information had

been distributed to them so they could have the legitimate facts, the vote would have been higher.

**Mr. David Anderson:** Now he's taking Elizabeth's position.

**Mr. Pat Martin:** I do not want to be heckled by the parliamentary secretary through my whole speech, Mr. Speaker. If I have to put up with that guy for my 20 minutes, I hope there will be some intervention from the Chair.

In the absence of any documentary evidence or business case from the parliamentary secretary, all the Conservatives have left are their dilatory actions to ram the bill through the House of Commons without even the courtesy or the respect for Parliament to give it the attention and the debate that it deserves.

Anybody watching this debate should know that this monumental change to the economy of the prairie region has been handled in a cavalier fashion and rammed through at every stage of debate. The parliamentary secretary tried to give us a little history lesson about the background of the Wheat Board. The history of the Conservatives' treatment of this bill is a story of deceit, misinformation, dirty tricks, treachery and now of denying ordinary parliamentary procedure and respect for democracy. I will itemize and defend everything that I have just said.

When the Conservatives were first elected in their minority government, they began to make unilateral changes to the Wheat Board. The courts ruled them out of order and indicated that they could not do it. They were frustrated. They imposed a gag order on the Wheat Board, something that is unworthy of any western democracy and more in keeping with a tin pot dictator in a banana republic. The Conservatives imposed a legislative edict, a gag order, on the directors of the Wheat Board. They were not allowed to say anything in defence of the Wheat Board's operations.

At the same time, they carpet bombed the prairie region with taxpayer funded propaganda containing untruths and half-truths or, at best, to be generous, anecdotal information about spot prices that occurred somewhere in Montana that the parliamentary secretary could not get his trucks to. Twenty million tonnes of wheat cannot be moved to foreign markets based on anecdotal spot pricing somewhere in Montana. That is why the Canadian Wheat Board is one of the largest and most successful grain marketing companies in the world.

It is reckless and irresponsible for the government to unilaterally dismantle this great Canadian institution without even having the respect and the courtesy to table a business case that it knows for a fact that farmers would be better off without. That is all we are asking for, that and the vote that the minister promised prairie farmers.

*Government Orders*

I have had many calls from farmers in all three of the main Wheat Board provinces. I have had none from B.C., frankly. These farmers told me that they voted Conservative, for whatever reason, but that they voted that way with the confidence that they would still get a vote on the future of the Wheat Board. They might have voted Conservative but they were pro-Wheat Board. The parliamentary secretary cannot deny that there is a significant number of farmers in that situation. The May 2 general election was not a referendum on the future of the Canadian Wheat Board. It was a general election on any number of other issues.

The government then gerrymandered the voters' list. This also is unworthy of any progressive western democracy.

The government provided misinformation, a falsehood, that the minister would allow a vote. On April 11, in the middle of the general election, the minister is on record as saying that he would allow a vote. He assured farmers that they would get a vote on the future of the Wheat Board. He told them that they could safely vote Conservative because he respected democracy and he would consult with farmers on the future of the Wheat Board. That never came about. I do not know what to call it without being ruled unparliamentary, but when someone deliberately tells someone else a falsehood we all know what that is called.

● (1240)

Perhaps the greatest insult of all is the fact that the Conservatives are ramming the bill through with what we call time allocation or closure. That means we will not be able to give this issue the oversight, the scrutiny and the due diligence that is our very job as opposition members of Parliament. We are supposed to, again, in a spirit of generosity where reasonable people can reasonably disagree, both sides, put forward our arguments and defend our arguments with robust and thorough examination and, hopefully, the best ideas gravitate to the surface and that becomes law.

In the absence of any of that information, we cannot do that job. We were hoping, at the committee stage, perhaps, we would be able to call witnesses, we would be able to call prairie farmers who are for the Wheat Board, we would be able to call prairie farmers who are against it, we would be able to call economists and we would be able to call experts in grain marketing around the world. We were denied any of that. They did not send it to a committee. They created a special legislative committee to study the bill in which we are not allowed to call any witnesses other than technical advisors to clauses in the language.

We would not have been allowed to call any one of the anti-Wheat Board farmers who are witnessing this debate in the galleries today. I wanted to hear their point of view. I wanted to—

**The Acting Speaker (Mr. Barry Devolin):** Order, please. I would like to remind all hon. members not to refer to people who are or who are not in the House and, in the same way, who are or who are not in the gallery.

The hon. member for Winnipeg Centre.

● (1245)

**Mr. Pat Martin:** A valid point, Mr. Speaker. I will not do that.

We should have been able to hear from pro-Wheat Board and anti-Wheat Board farmers but we heard from none of them. We had two evening meetings of four hours each. The witnesses were mostly technical witnesses to explain what effect clause (a), subclause (b) would have in terms of the administration of the Wheat Board. However, there was no broad consultation.

Surely it is reckless and irresponsible to turn the Prairie economy upside down on its head without at least that basic level of due diligence. It is crazy. It is the act of an ideological zealot, frankly, to ignore all of those things that we should be able to do. It is infuriating to me.

The parliamentary secretary tried to walk us through some kind of a history lesson of the Wheat Board. I have a chart here, a convenient graphic illustration that we made up. I know I cannot show that to the House as a prop. However, in those periods of time when there was no single desk, the price of wheat went down. In those periods of time when there was a single desk, the price of wheat went up. During the time when it was a voluntary dual marketing Wheat Board, the price of grains went down. The time when it was a single desk, the price of grains went up.

That is the accurate history of the experience of the Wheat Board from the 1920s. It is disingenuous to try to imply otherwise. Those are the kinds of facts that we could have benefited from in our deliberation of this bill. We are just trying to do our job here but those guys are so overwhelmed by their passion to destroy the Wheat Board, by their irrational hatred of the Wheat Board, that reason, logic, economics, science, due diligence, oversight and scrutiny are foreign concepts to the Conservatives. They rely on the anecdotal information of their personal experience.

I can sympathize with the parliamentary secretary. If he had some disagreement with the Wheat Board, maybe he should get involved in the Wheat Board elections and change the Wheat Board from within or allow a plebiscite vote, a fair question and a fairly conducted vote. If that vote were 50% plus 1 for abolishing the Wheat Board, members would not hear a word from us. There would not be this push-back because we would have consulted farmers, they would have spoken and their voices would have been heard and respected.

However, the government will not put it to a vote because, I believe, it is afraid of the outcome. Whenever we do consult farmers, it is split, admittedly, but the majority has ruled and that has been the magic of the Wheat Board. Its universality has been its greatest strength and its success.

Having a voluntary Wheat Board, we know from actual experience, is chimera. It is a myth. It is some notion that the government is trying to project on its way to the full abolition of the Wheat Board.



### *Government Orders*

It is funny how the Americans recognize the advantage of having the Wheat Board. In fact, there is evidence of that. I try to back up my comments with actual documentation as opposed to the ideological notions, the whims, the flights of fancy of the minister and his parliamentary secretary. The Americans recognize that it is a huge advantage to Canadian farmers, so much so that they have filed 13 separate complaints to the GATT and the WTO claiming that the Wheat Board is such an advantage to prairie farmers that it constitutes an unfair trade practice and should be abolished as such. They lost 13 times because the WTO ruled that there was nothing unfair about producers acting collectively to get the best price for their product and to reduce their transportation costs and to share the risk by pooling the risk, sharing the profits and operating on a non-profit basis.

That might be contrary to the best interests of Cargill and the for-profit grain companies, but it is certainly not a violation of any kind of trade agreements that Canada has stipulated to. It is just good business sense. They realize that in unity there is strength, that collectively they could get the best prices and reduce their costs. One of the main complaints that the parliamentary secretary has is that they bought some ships. They bought some ships in order to provide the best possible transportation costs to their clients, the prairie producer. It is a non-profit operation.

• (1250)

I heard one of the members, I cannot remember his name, the long gun registry guy, calling it “lifting the iron curtain from grain marketing”, as if it were communism. Perhaps we have gotten to the root of the Conservatives’ hatred here, their ideological zeal against the Wheat Board. They view it as communism for prairie farmers to act collectively in their own best interests. Therefore, they think it must be stamped out. That is how goofy it is. They are laughing about it now, but we know behind closed doors that is how they view it.

In fact, the experience has been one of the largest and most successful grain marketing companies in the world, the guarantor of the best premium quality grains in the world. The Wheat Board has given Canada a branding and reputation that add value to our product. I guarantee, and this is one of the things that I can also back up with documentation, we will lose that top quality branding if American grain companies start mixing Canadian product with batches of American product in their marketing operations. We will not have the oversight of the grain commission. We will not have the intensity of the research that comes from the grain institute, that complements the grain production, that gives the Wheat Board the number one premium brand in the world and our reputation.

The grain industry is vital to the area that I represent, the prairie region. Grain is our oil, the backbone of our economy. This is going to constitute a transfer of wealth, the likes of which we have not seen since the big pharma drug giveaway by the Liberal government when it gave 20-year patent guarantees to pharmaceutical companies.

This is a transfer of wealth of a magnitude that we have never seen on the Prairies. Hundreds of millions of dollars will be taken out of the pockets of prairie producers and will be put into the pockets of the shareholders of the big grain companies that have been salivating

over this market share ever since the Wheat Board was created. They never gave up. Just like the enemies of public health care have never really given up, they have just been waiting in the wings for somebody to come along and finally do their dirty work for them so that they can get that market share back.

Just this weekend, I drove down Wellington Crescent, the richest street in Winnipeg, and was reflecting on this change that is going to take place. Every mansion on Wellington Crescent was built by the robber barons in the 1900s, 1910s and 1920s, who gouged prairie farmers so mercilessly that they were forced into some collective action to protect themselves.

Those robber barons put on a nice disguise now. Villainy wears many masks, but none so treacherous as the mask of virtue. We will hear virtuous statements from the agents of treachery in this debate. We will hear the parliamentary secretary. Let us guess what his next career will be. He will be a member of the board of directors of Cargill. He probably has job offers already with any kind of luck. If he is smart, he is negotiating that on the phone as we speak. “Guess what? The day has arrived. We finally stamped out the Wheat Board”. Villainy and treachery. J'accuse.

We already know the experience of Brian Mulroney. Where did he end up? On the board of directors of one of the big three. Guess what his billings were from 2009 to 2011. His billings as a director of Archer Daniels Midland were \$650,000. Normally, a member of a board of directors is not compensated \$650,000 just for attending one meeting a year to vote on the compensation of fellow directors. He is delivering something. He is delivering the Canadian Wheat Board back into the hands of the robber barons who have been drooling over this market share ever since this important change took place.

It is a sad day for democracy when such an important and transformative change to the rural prairie economy takes place without even the scrutiny, the oversight and the due diligence of Canadian members of Parliament.

• (1255)

This is the tragedy here. Perhaps we should be sounding the alarm.

I was accused of using an obscenity on Twitter recently, while I sat here lamenting closure. The real obscenity is the calculated abuse of Parliament, disrespect for Parliament and even disrespect for the courtesy of presenting a reasonable case. The real obscenity is not asking a single farmer, or ordinary producer, to come as a witness before a parliamentary committee to speak for or against a bill that would change things forever. And let us have no illusions about this, this change is irreversible. We will not get a Canadian wheat board back if we do not like, in the next five years, what is going to happen to this one. Some people will be happy about that; maybe those who are lucky enough to have a large acreage right on the American border and who could drive their product down to some mill in Montana.

## Government Orders

However, let us deal with some of the myths that the parliamentary secretary and his minister, in some free market flight of fancy, are sharing. They say that as soon as they get rid of the Wheat Board, all kinds of value added and secondary industry will spring out of the ground like mushrooms all over the prairie region.

First, there is the untruth associated with this. In the last 10 years, milling capacity has increased 50% in the rural prairie region and four new institutions have popped up for value added. It is not as though it is impossible.

At the same time, south of the border, the milling capacity increased 9% and there were no new installations.

They would have us believe that it will be nirvana, that for a nominal fee they could reach nirvana tonight, that old myth. They are trying to promise all kinds of changes that would occur overnight because there is one guy who is waiting to open his doors as soon as they get rid of the Wheat Board. Do members know why? Because he would be able to buy grain cheaper. The Wheat Board did not offer a premium to producers, because their mandate was to get the best price for farmers. The only way to get grain cheaper is to give farmers less for it. Is that in the best interests of the prairie producers?

That is only one of the inconsistencies in their argument. If we were given the luxury of time at a parliamentary committee, we could study many others. I guarantee that their own members would have serious questions about why they are ramming through this ideological crusade in the absence of reason, logic, a business case, or even an economic case of why it might be a good idea.

**Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC):** Mr. Speaker, I enjoyed listening to the hon. member's speech. Before I get to my question, I would encourage the Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board to consider playing the part of Tom Selleck in the next *Magnum, P.I.*. That is one heck of a moustache this Movember.

With regard to the member's comments regarding the Wheat Board, as I indicated earlier, I come from a farming background, in the great province of Ontario. We do not have a wheat board that ensures quality, but people line up to buy it because they know the quality of Ontario produce and grains and oilseeds is outstanding.

The member can talk of anecdotal evidence that he might have in support of the Wheat Board. It is not a market. Farmers there are not selling to the market. They are forced to provide their produce to the Wheat Board. They do not have an opportunity to go to the market with their grain. Nobody in any other part of the country, British Columbia, Ontario or Quebec, wants a wheat board. That is because they see the opportunity in the market.

Ontario, for example, has the second largest food processing industry in North America. I do not know if the member knows that. That is, in part, due to the fact that we have a free market in grains and oilseeds. Quaker Oats in Peterborough, for example, buys oats from local farmers. It has been a great partnership for the people of my riding.

I wonder why the member would close off opportunities to prairie farmers that farmers in Ontario, Quebec and elsewhere have.

**Mr. Pat Martin:** Mr. Speaker, that is a reasonable question. In fact, all we are asking for is that prairie farmers get the same courtesy and the same rights as Ontario farmers, in that we allow them to vote. When Ontario farmers chose not to use a single desk any more, it was the result of a democratic vote of all producers and by a small majority. They decided they did not want to use the single desk. Not a word was heard from us, not a word from the NDP, or CCF in those days. They made their choice democratically and we respected their choice.

The contradiction here is that the farmers in the western region, the Wheat Board region, were promised a vote and they have been denied that vote. We have no other avenue of recourse than to try to get our business case forward in Parliament.

• (1300)

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, the government is about to tear away the sales and marketing department of 60,000 to 70,000 wheat farmers out west. *The Wall Street Journal* is heralding this legislation because it is going to mean profits for shareholders of Viterra and Cargill, profits from the pockets of farmers. The Alliance Grain Traders is opening up a pasta plant out west because, in its own words, it is going to pay farmers less for their grain. *The Economist* magazine has already talked about how the failure of small farms and small town economies out west will change the face of western culture. If we did not know any of these things, then we would think this was a good idea.

Would the member for Winnipeg Centre tell us about the raising of the cap from \$60 million to \$200 million just last week, which I think is to fund the folly of the Minister of Agriculture?

**Mr. Pat Martin:** Mr. Speaker, my colleague from Guelph raises two important points. First of all, one of those big grain families, the Patersons in Winnipeg, was very honest. We have all seen the Paterson grain elevators across the prairie region. When asked whether he thought getting rid of the Canadian Wheat Board was a good idea, Mr. Paterson, age 50, said, "We'll do better than we do now". His family firm has climbed to more than \$1 billion in annual revenues. He said, "Our best years were in the time before the Wheat Board and that pattern should reassert itself". At least he had the decency to admit that he had been waiting anxiously in the wings for somebody to come along and do the dirty work for him, to abolish the Wheat Board so he can get back what he thinks is rightfully his, that is, a monopoly. Not a monopoly in the best interests of farmers, but a monopoly of the grain marketing where he can dictate the price just as he used to. It will be welcome back to the 1920s.



*Government Orders*

My colleague's second question was about the reserve fund. It was arbitrarily raised from \$60 million to \$100 million as the Wheat Board had requested. The government then ordered the contingency fund last week to be raised to \$200 million. That means prairie farmers are being forced now to use their money to pay for the dissolution and restructuring of the Canadian Wheat Board instead of the government. If government is causing this problem, it should be paying the restructuring and closing costs which are estimated at \$500 million as well.

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, I would like to thank my colleague from Winnipeg Centre for his tireless work on behalf of western Canadian farmers.

I had the pleasure of attending the convention of the National Farmers Union this weekend in London, Ontario. This group has also worked tirelessly on behalf of farmers, and is made up of farmers at the grassroots level. Not one farmer, young or old, said that he or she was in agreement with this current legislation. The group that represents grassroots farmers is saying they should have had a vote.

At the convention I was given a disturbing article to which the hon. members for Guelph and Winnipeg Centre just referred. The article in the *Leader-Post* of November 26 says: "The wind-up costs are estimated to be in the hundreds of millions of dollars, including liability costs of breaking or renegotiating contracts and obligations, pension and severance payments, and other asset purchases".

The author of the article is saying that farmers' money is going to cover these costs. Would my colleague comment on the fact that as estimated by the current chair of the Wheat Board, Allen Oberg, the cost will be somewhere from \$200 million to \$400 million? Does the member feel this is justified?

• (1305)

**Mr. Pat Martin:** Mr. Speaker, no, I do not believe this is justified. In fact, I feel so strongly about this that I move that the motion be amended by deleting all of the words after the word "That" and substituting the following: That Bill C-18, An Act to reorganize the Canadian Wheat Board and to make consequential and related amendments to certain Acts be not now read a third time, but that it be read a third time this day six months hence.

**The Acting Speaker (Mr. Barry Devolin):** I must bring to the attention of the hon. member and the House that it is not admissible to move an amendment during the period for questions and comments. If an amendment were to have been moved, it ought to have been done during the member's presentation.

Questions and comments, the hon. parliamentary secretary.

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):** Mr. Speaker, it is a good thing the member opposite is entertaining because he is never accurate. We have just seen an example of that again.

I want to talk about the money that is being spent. The member for Guelph mentioned that. I did not get a chance to get to this in my speech.

On the plebiscite that the Wheat Board set up in the summer, we know that it spent over \$300,000 of farmers' money trying to promote one side of the discussion. The Wheat Board was clearly spending farmers' money for a particular political purpose. We know that it spent somewhere between \$60 million and \$100 million on two ships that it did not tell farmers it was buying. The Wheat Board did not let farmers know until after the agreement had been made. In fact, it kept completely silent throughout an election campaign cycle because it did not want farmers to know. It has spent, I think, several million dollars in the last month.

I want to talk about the advertising campaign. There has been a couple of million dollars spent in eastern Canada. Even the member opposite has to admit that is irresponsible.

**Mr. Pat Martin:** Mr. Speaker, the government arbitrarily ordered the Wheat Board to raise its contingency fund from \$100 million to \$200 million. The government itself is using farmers' money to pay for the closing down of and contingencies associated with a change in the Wheat Board's structure. The Conservatives have off-loaded the burden of these closing costs onto prairie producers. The prairie farmers associated with this should be furious.

It is another example of the unfairness, the heavy-handed tactics and unfair interference of the state coming down on the rights of farmers to act collectively in their own best interests. The Conservatives are letting their ideology get in the way of the best interests of farmers to get the greatest rate of return for their product. The government is handing them over to be at the mercy of a few very powerful grain buyers who will be able to dictate the price. Five years hence, unfortunately, it will all be too late.

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, first I would like to comment on the parliamentary secretary's statement about spending by the board. The board has a fiduciary duty to protect the board and the interests of wheat farmers. That is why that money was spent.

I am pleased to rise today in the debate at third reading on the Conservative government's bill that would effectively kill the Canadian Wheat Board. It is an honour because I truly believe that when putting forward legislation such as this, legislation that would not only touch the lives and livelihoods of farmers across the western provinces but would profoundly change the face of agriculture in this country, there should be fulsome debate. Sadly, the Conservative government decided in May that it would not listen to any voices but its own for the next four years. Not only do Canadian farmers who voted to keep the Canadian Wheat Board deserve better, so do Canadians across this country who understand that their bread does not come from the bakery or the grocery store but from the hard work and dedication of Canadian farmers.

*Government Orders*

Having walked away from the election with only 39% of the vote, meaning that 61% of Canadians do not support the government's measures, the Conservatives have treated their majority as an excuse to walk all over farmers who do not share their ideological beliefs. I remind the House that according to the existing Canadian Wheat Board Act, an affirmative vote of wheat farmers is required under section 47.1 before a change as significant as this is made.

Regardless of pre-election promises by the Minister of Agriculture and Agri-Food in Minnedosa in March of this year to have a farmer vote and not act arbitrarily, the government shut out the voices of farmers by refusing to hold a farmers vote and smearing anyone who dared stand up to its ideological steamroller. In August the Canadian Wheat Board held its own farmers vote, wherein a majority of western Canadian grain producers voted to maintain the single desk under the Canadian Wheat Board. What did the government do? It is no surprise. It smeared the results. How can a government maintain that Canadian farmers know best on the one hand while refusing to actually listen to a single one?

The Conservatives limited debate, giving the House only three shortened days to speak to a bill that would fundamentally alter the face of farming and would change rural life in the prairie provinces forever. Then the government referred the bill to a special legislative committee, not the regular agriculture committee, limiting its review to only the technical elements of the bill, not to the impact on small farms and the effect that attacking the family farm will have on small town rural economies.

The legislative committee did not even travel out west to hear from farmers, despite my seeking consent in the House to do so. To add insult to injury, the committee was restricted to only two evenings of hearing witnesses, only two nights for people to testify to the detrimental impact this bill will have before the committee was restricted to one short night of clause-by-clause examination of the bill, refusing all amendments designed to put control of even the new Canadian Wheat Board into the hands of farmers. Fearing the truth, Conservatives held farmers back and silenced tens of thousands of farmers' voices, pretending to Canadians that no opposition to this bill ever existed, an all too familiar deception that characterizes the government.

What the Conservative government does not want to hear is that farmers are profoundly concerned about the clout and strength they will lose once they are no longer able to negotiate, sell or market their wheat, durum and barley through the single desk. Where is the Prime Minister who said only hours after winning his majority that he would govern for all Canadians? I do not recall him explaining that there is an exception for western grain farmers who tried to speak through their Conservative MPs but could not even get a return call or email response on the issue. They were completely ignored. What of the farmers in Ottawa right now who cannot get a meeting with Conservative senators? It is shameful.

Post-election democracy no longer exists with the government. This is more severe than the back and forth of debate in the House. It is much more than every question that the minister or his parliamentary secretary have deflected. These are farmers who have worked their whole lives on their farms, who support the Canadian Wheat Board, who are being ignored because the government does not want to hear what they have to say.

● (1310)

With the removal of the single desk, a great piece of armour is being removed from the farmers' arsenal. Vital infrastructure that links the marketing, sales and transportation needs of western Canadian farmers is being destroyed. In the absence of any meaningful action on the rail service review for nine months now, farmers are concerned that they will no longer have the hammer that they need to deal with the overwhelming strength and appetite for profit of big grain companies and the railway.

Western grain farmers have shared their tragic stories of the abuse they suffer at the hands of the railways. The railway companies have such a callous disregard for farmers that they will often send railway cars with holes in them without any consideration for what grain will be lost along the way. Farmers individually are up against a behemoth where their collective clout enables them recourse in the face of such poor treatment. That clout will now be gone.

Many farmers have approached me because our Competition Act is not nearly effective enough in dealing with anti-competitive behaviour. In this infrastructural vacuum, farmers will be left to struggle and die. Not only will farmers be left to fend for themselves, but even the farmers who stay with an interim wheat board will lose their voice in the organization.

This bill does not allow for any elected directors upon the coming into effect of the new law, and leaves five government-appointed directors. These directors, unaccountable to grain producers, are no more than puppets of the minister with the new sweeping powers set in place by the bill that require the board to be operated by whom? The Prime Minister's office.

My colleague on the government side, the member for Westlock—St. Paul, once wrote the following to his constituents:

Canada is a democracy and one of the underlying tenets of a democracy is that fact that citizens vote to elect their representatives, be it an MP, a mayor or a Director of the Canadian Wheat Board.



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I am saddened that my friend has abandoned his commitment to democratic institutions. There is a very important truth in that statement. Members on both sides of this House have argued that farmers know what is in their own best interests. Therefore, when the western Canadian farmers elect their directors to the Wheat Board and 80% of the directors elected consistently support the single desk, one can only assume that the democratic process has been respected and the wishes of the electorate have been satisfied.

Many of the same farmers who may have helped to elect my friend the member for Westlock—St. Paul or any number of members opposite from the government party also voted to elect representatives to their Wheat Board and support the single desk.

A number of members opposite have questioned my position on behalf of prairie wheat and barley farmers in the past because I am from Ontario. Well, I will say to those members that people from Ontario and everywhere else in this country know that their food comes from farmers and not the grocery store. The Conservatives have made the false link between the single desk and western Canadian provinces and the Ontario Wheat Producers' Marketing Board. I will clear up some of the errors in their argument before they rise during the period for questions and comments.

We are entirely committed to giving western Canadian farmers the same choice as Ontario farmers. In the late 1990s, the Ontario farmer-elected board of the single desk began a transition, supported by producers, to move to an open market. Farmer-elected directors supported by Ontario farmers made this choice, not a government talking down to producers, the majority of whom voted to sustain the single desk.

There is no question that Canada produces the best grain in the world. However, there are different grades of grain, and the members opposite need to keep that in mind when they are considering this bill. Ontario production is one-tenth that of the western provinces, and produces a soft wheat, one used primarily for pastry, cookies and doughnuts. The western provinces' hard red spring wheat is used in making bread, and their durum for making pasta. Ontario mills rely on prairie wheat for flour.

Most of Ontario's wheat is sold within Canada or the northern United States, while the majority of western wheat is shipped around the world. The transportation costs for western wheat and its markets are not at all comparable, nor is the clout required to sustain the western wheat industry.

• (1315)

What is the bottom line? If the members opposite would like to continue making the comparison between Ontario and the western provinces, they should first allow western farmers a vote to determine their own future.

Any way we look at it, the will of western Canadian wheat, durum and barley farmers is being ignored by the government. A majority of farmers elected the farmer directors. A majority of farmers supported maintaining the single desk and a majority of farmers are furious that their Conservative MPs are muzzled by the Prime Minister's office, will not listen to their wishes or their needs and are now endangering their livelihoods.

When asked about why there will be no farmer-elected directors on the interim Canada wheat board, members at committee were informed that it was necessary for such oversight given the expenditure of taxpayer money. This, of course, raises a new concern. How much taxpayer money will be spent killing the Canadian Wheat Board? With the single desk, the Canadian Wheat Board is an organization with annual revenue of \$5 billion to \$8 billion, which generates hundreds of millions of dollars a year for all farmers.

Presently, there is no cost to the Canadian taxpayers and yet the government has not released a single estimate of how much this is anticipated to cost, nor has it released a business plan for a new Canadian wheat board. What business starts without a business plan? I thought perhaps the government was considering funding its failed enterprise on the back of farmers.

A week and a half ago, it was discovered that the government had raised the cap on the Canadian Wheat Board's contingency fund, originally developed to allow the Canadian Wheat Board to pursue more innovative marketing, as well as to gradually build a buffer to protect farmers. The reserve was capped at \$60 million for the last 13 years. Everything above that went to farmers through the wheat pool of funds. At the 11th hour, just in the past week or so, the Conservative government suddenly raised the cap to \$200 million. I could only imagine that even the farmers who support the government's position are furious to learn that their hard-earned money now provides for a Conservative government's slush fund, a fund designed to pay for the minister's new farming folly and the further liabilities of dismantling the Wheat Board.

Farmers could use this money. With the fragile state of the world economy, the Canada Wheat Board is more important than ever to grain exporting prairie provinces. This money is the financial backstop for their clout. These farmers have heard the prognostications of big grain companies like Viterra, Cargill, Richardson and even Bunge, most of whom have seen share prices spike with the news that the Conservatives would be killing the Wheat Board. Even today, Cargill announced that it will create their own wheat pool for farmers. What chance does an interim Canada wheat board have to survive? Almost nil.

Just weeks ago, the *Wall Street Journal* welcomed the demise of the Wheat Board, noting that under the present single desk system, "More money goes back to farmers than under an open market system". It went on to say, "Grain handlers such as Cargill Inc., Viterra Inc., and Bunge Limited, could see their roles and returns in Canadian grain markets grow".

Where will this growth come from? It will come from profit that would have been in the pockets of western farmers and small town economies, thanks to the Canadian Wheat Board. Do we need more proof? Alliance Grain Traders are just now opening a pasta processing plant in Regina, one that would not have been feasible before, unless it knew it could get the lowest possible price for farmers' wheat and durum, noting that the best way now to combat their market erosion is, "by negotiating lower prices from growers".

Once the protection of the single desk is gone, these businesses will begin to divide and conquer farmers, negotiating them down to the lowest possible price, making farmers price takers instead of price setters, until inevitably, as was the case in Australia, there is only one large agribusiness left.

Western Canadian farmers on both sides of this debate should take a much closer look at the Australian model. Its example leaves so many questions unanswered but has demonstrated that deregulation has led to major agribusiness controlling the logistic chain, leaving farmers out in the cold.

Jock Munro, a grain farmer from New South Wales, Australia, in an article in *Grain Matters*, lamented:

We estimate we have lost \$4 billion as growers since the wheat industry was deregulated three years ago.

The math just does not add up, unless the government is deliberately ensuring that Canadian farmers are the losers at the end of this deal.

• (1320)

Not contained in the bill is any contingency for 10 to 15 years down the road. We know that small farms and small town economies will now be in danger of failure, even *The Economist* magazine agrees. In an editorial at the outset of this debate it wrote:

Smaller producers, faced with mounting marketing costs, will inevitably have to sell their farms to bigger rivals or agribusiness companies...devastating small prairie towns, whose economies depend on individual farmers with disposable income.

We already know that the government will not intervene unless it is to pull the strings of the board of directors, so farmers are left at the mercy of the grain and rail companies. We know that any extra money that might have been returned to farmers this year is being held hostage by the minister and his government.

What of food sovereignty? I am concerned, as are farmers across the western provinces, and Canadians across this country, that once small farms start failing on the Conservative government watch they will be bought up by large agribusiness or even foreign countries that are more concerned with their own profits and internal interests than our food sovereignty.

Recently, the government has made a number of moves that are less than encouraging for Canadian agricultural industries. Having bowed to most of the United States' protectionist measures, the government has now placed supply management of eggs, milk and poultry on the table to negotiate away. First it was the Wheat Board and now it is supply management.

The precedent set by killing the Canadian Wheat Board is causing a great deal of concern among supply managed farmers. Farmers remember the Prime Minister telling the members of the trans-Pacific partnership that supply management was on the table, just as clearly as they remember him telling our European partners that it was on the table, just as clearly as they remember this quote from the same man, their esteemed Prime Minister, who said, "Take for example, 'supply management', our government-sponsored price-fixing cartels". The Prime Minister and the Minister of Agriculture and Agri-Food have always been clear that they favour the free market regardless of the cost to our Canadian farmers, Canada's food sovereignty and food security.

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The bill is not about fairness or freedom. We have said from the very start to let farmers decide. The Conservative government, from the very start, has cut off any expression that opposes its ideological obsession with killing the single desk.

With that, I move:

That the motion be amended by deleting all the words after the word "That" and substituting the following:

This House declines to give third reading to Bill C-18, An Act to reorganize the Canadian Wheat Board and to make consequential and related amendments to certain acts, because members of the committee were unable to hear testimony from the primary producers affected by and concerned with the future commercialization of the Canadian Wheat Board.

• (1325)

**The Acting Speaker (Mr. Barry Devolin):** The amendment is in order.

Questions and comments. The hon. member for Medicine Hat.

**Mr. LaVar Payne (Medicine Hat, CPC):** Mr. Speaker, I listened to part of the hon. member's speech and found it very disturbing. In fact, as I recall, he said that no western MPs responded to any phone calls, emails or letters from farmers in their ridings. That is not true at all. I responded to every phone call, email and letter from farmers. There was one fellow who was about 92, another who was 80-some-odd, another in his 70s, and many hundreds of others who supported our position on this.

I would ask the hon. member how many of his farmers actually supported his party's position.

**Mr. Frank Valeriote:** Mr. Speaker, to comfort the hon. member somewhat, I did not use the word "no". However, I can say that I have received thousands of signatures in the form of petitions, which we have presented in this House on a daily basis. The members opposite were present when those petitions were presented.

It is important to remember that 62% of wheat farmers and 51% of barley farmers, who were forced to hold their own plebiscite, voted in favour of maintaining the single desk. Yet, I hear from so many Conservative MPs over there that they are not hearing from anybody about the need to keep the Wheat Board. What kind of nonsense is it that they would have us believe that nobody is emailing, writing or asking them to maintain the board?

While the member may have received people in his riding office or he may have responded, he is welcome to come to my office and I will give him a list of the members in his party who would not respond to their constituents on this matter.

[Translation]

**Ms. Hélène LeBlanc (LaSalle—Émard, NDP):** Mr. Speaker, I would like to thank my colleague for his speech and for the opportunity it gives us to ask some questions and take part in the debate, given that, with the limited time available, we do not have much opportunity to have our say on the matter.



*Government Orders*

I wonder if my colleague from Guelph could elaborate a little more on the potential consequences. We have seen many changes in agriculture in recent years. In the member's opinion, what sort of consequences could abolishing the Canadian Wheat Board have?

• (1330)

[English]

**Mr. Frank Valeriote:** Mr. Speaker, if we look at this from 20,000 feet or from 1 foot, the sales and marketing arm of over 60,000 farmers is being torn away from them. Many farmers, many of them older, will not be able to make the transition. I have heard this from farmers who support getting rid of the Wheat Board. They have acknowledged to me that there are many farms that will fail because they will not have the resources now to step up and create their own sales and marketing department.

With the failure of those small farms, we will have small town economies, which are dependent on those incomes, dependent on being fortified by the spending of incomes in those small communities, being compromised. This is not my notion. I have read this many times in many different articles from economists, including *The Economist* magazine which predicted the failure of small town economies. Not only is the Prime Minister changing the face of Canada, he is disfiguring the face of Canada in our western provinces.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I truly believe that the Prime Minister of Canada has had a very strong personal hatred for the Canadian Wheat Board long before he even became the Prime Minister of our country. I think this whole Bill C-18 to get rid of the Wheat Board has more to do with the personal opinions and feelings of members of the Conservative government. I say that because over 20,000 prairie grain farmers from Alberta, Saskatchewan and Manitoba sent a very clear message to the House of Commons, to this Prime Minister, saying that they see the value of the Canadian Wheat Board and that they do not want the government to get rid of the Canadian Wheat Board. This is the message that I believe the prairie farmers sent to the Prime Minister.

Would the member agree that the vast majority of prairie grain farmers are sending that message to the Prime Minister? Why does the member believe the Prime Minister is not listening to the pleas of the prairie grain farmer today.

**Mr. Frank Valeriote:** Mr. Speaker, I thank my friend and colleague from Winnipeg for the incredibly hard work he has been doing on behalf of western grain farmers. I have worked with him on this file and have been out west with him to talk to farmers. It is purely ideological. It is getting rid of any organization that resembles a collective coming together for the benefit of the many.

Fragmented, the board will lose its clout. It will lose its clout with the railways and with the large grain companies. It will lose the strength that it needs to be price setters instead of price takers.

However, in response to my friend's question, it is pure ideology. There is not one business case that has been presented to this House for the new Canada wheat board or the interim Canada wheat board. I suspect that within four years, now with the introduction by Cargill of a pooling system, this wheat board will not even exist. At whose expense? At the farmers' expense by the \$200 million that the

minister is already collecting from their pockets in order to fund his folly.

**Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC):** Mr. Speaker, I have great respect for my colleague from Guelph, but he is being incredibly misled.

My colleague talked about the marketing arm of the Wheat Board being torn away. Quite honestly, I have to wonder what he means by that. This is about giving farmers freedom, not unlike the freedom that grain farmers in Ontario have. The Wheat Board would still be represented, and they would still have the opportunity to market.

The scenario that my colleague is painting is that we are asking farmers out west to accept all of the responsibility and the liability for growing a crop, but we are telling them that they do not have the good economic sense to be able to market it. In fact, we would be giving them the opportunity to choose whether they want to market their grain through the Wheat Board or whether they want to market it on their own. To me, his comments are a slap in the face to the ability that farmers have.

Why is my colleague not seeking input from farmers in Ontario, who have freedom of choice? Why does he not ask them for their opinions on how well it works? It will work out west.

• (1335)

**Mr. Frank Valeriote:** Mr. Speaker, I have a great deal of esteem for my friend from Lambton—Kent—Middlesex. We work on the agriculture committee together and we have accomplished a lot.

If my colleague wants to speak of being misled, then he needs to understand how misled he has been on this democratic institution and on the rights of farmers to decide.

The farmers in Ontario decided for themselves, and farmers in our prairie provinces have the right to decide for themselves under section 47.1. However, notwithstanding farmers' pleas for a vote to be held, as is required by the legislation, the government has refused to hold one. Many petitions have come to the House indicating that farmers will live by the results of the vote, whether pro or con, yet the government has refused to hold a vote.

I am saddened that my good friend is participating in this incredible and dreadful erosion of democracy and farmers' rights.

**Mr. Randy Hoback (Prince Albert, CPC):** Mr. Speaker, it is a privilege and an honour to get up to speak today as the member for the riding of Prince Albert. When I look at the things we would like to accomplish as a members of Parliament and what our constituents want us to accomplish, I can see that this bill is one that does both. The change to the Canadian Wheat Board is one that both I and my constituents want to see happen.

We have heard a lot of talk today about the Canadian Wheat Board and what is going on. The Liberal members would have us believe that the Canadian Wheat Board would be totally disbanded, everyone would be thrown out of work, and the Wheat Board would not exist. That is not true.

What is happening is that the Wheat Board is being transitioned to a functioning entity that farmers want. Farmers who want to participate in it will be able to and will have the option to participate in it; farmers who do not want to will have that option also. It is the same right and privilege that farmers right across Canada have, and farmers in the designated area will now also have the same right and privilege.

This has been a very divisive debate for the last 40 years. There have not been any new arguments brought to the table in the last three weeks or six months or year that would change a member's mind or change a constituent's or farmer's mind on where they sit on this debate. Everyone has their ideology when it comes to this debate. Everyone has their reason for believing what they believe.

It is interesting that when we look back at the history of this file, we see a report from the Canadian Wheat Board, paid for by the Canadian Wheat Board, saying that it extracts premium. Then we can also go back and see a report by the George Morris Centre saying that there is no premium. Those types of arguments have been going on and on in the Prairies for probably the last 40 years.

However, one argument that cannot be fought against is freedom. We cannot fight against the right to our property. We cannot tell people that we are going to take what is theirs and make it ours. That is improper. That is not right.

People can argue all sorts of reasons on why they want collective marketing. They can argue all sorts of reasons on why they want the CWB. Those options are there, but it is farmers' hard work that creates that crop. It is their hard work that will make that wheat and barley grow, and they should be able to receive the rewards for their hard work.

I do not want to forget to mention, Mr. Speaker, that I will be sharing my time with the member for Portage—Lisgar.

Through this last summer, the CWB knew exactly what was going on. It knew the transition was going to happen. It had all the tools in front of it to go forward and it decided not to. The board, instead of working with farmers, the government, accredited exporters, and their customers, decided to do the opposite: to become a bunch of political agents and work for the NDP and the Liberal Party. It decided to do that with farmers' money. It took farmers' money without asking and started a campaign. It was not so much for what it believed in—it is just its own ideology that it believes in—and it did not represent farmers.

The CWB could have gone out this summer and sold wheat and barley over the next four or five years, but instead it did a plebiscite. It identified voters, people who would support the CWB. Why did it not go and ask those farmers to sign up acres? Why did it not go to them to say that if they supported the single desk and the concept of pooling their product with the Canadian Wheat Board, it was still able to do that. It could actually have moved forward, taken the farmers' acres and marketed them on their behalf at pooled prices. The Canadian Wheat Board could have set up a program to do that, but it did not.

It is interesting that when I talk to different accredited exporters who have been through the House of Commons, there is concern on their side too. They are looking for an entity to work with to source

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grain on the Prairies. Again, they are familiar with the Canadian Wheat Board and familiar with the staff there. The directors just had to give the staff the green light to go ahead. Did they do that? No, they engaged in a political debate. They engaged in their own self-preservation, their own ideology.

Actually, that is why they needed to be removed and a transition board needed to come forward. It was not only to protect the employees of the Canadian Wheat Board, who are good, hard-working people, but also to protect the farmers who wanted to use this chance of pooling and wanted to use this entity to market their wheat.

It is going to be interesting as we look forward to this new CWB and what it can become. There are no shackles on it. It can actually do what it wants to do. The farmers who support it can actually lead that organization to where they want it to go. If they want to handle pulses and can find a market where they can tie pulses into some wheat and barley, they can do that. If they want to handle canola, they can do that. If they want to handle oats, or wheat and barley out of Ontario or Quebec, they can do that. They have the ability to take the organization where they feel it needs to go.

• (1340)

That is something that farmers have never had with the Canadian Wheat Board. That is something that has never been represented in the way the CWB operates and runs.

Many times in the Prairies we have seen value-added entities come up. A good example was the Weyburn Inland Terminal's pasta plant. Here was a group of farmers who wanted to build a pasta plant. They got together, raised the funds and found the market for the pasta. They had everything to rock and roll and were ready to go, but the CWB stepped in and said no.

The CWB is not there for itself; it is there for farmers. That is its main goal. It is a tool to be used by farmers. However, in this situation the CWB refused to adapt their tool to allow farmers to use it properly. Instead of farmers being able to appreciate the CWB, work with the board and figure out a way around it so that the pasta plant could go forward, the CWB said no.

That has been a problem in how the CWB has operated in past history. It was never there necessarily to work for farmers, but to protect its own single desk ideology. It never worked with guys who wanted to proceed with niche markets or other opportunities. The CWB would say that would do buy-back options and would look at other options for farmers to buy back the product, but it always made it either a hurdle or impossible.

There is another interesting thing about the buy-backs. A few farmers who went through the process talked to me about it. They found their own market and did the buy-back. On the buy-back form they actually had to name who they were selling their wheat to. They would put, in good faith, the name of the company they were selling their wheat to across the line or overseas; the next week, they would get a phone call from their customers telling them that the CWB had gone in and undercut them.



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One wonders how hard the organization was actively searching for markets for farmers' grain, or whether the CWB was just a little comfortable in how it went about doing it.

The changes in the legislation that I think would be positive for the Prairies and for farmers as a whole are that they would have a variety of options in marketing a product.

We heard people complain a lot on the level of railway service. If we want competition for the railways, the best competition is value-added. The best competition is not to use the railways, but to process the grain there and then create a product that does not necessarily have to go in a hopper car. That is the best way to get competition for the railways, and that would happen on the Prairies. That was not allowed to happen, and could not happen, on the Prairies in the past. However, now we can look across the line at the malt plant or at the Alix malt plant in Alberta that is going through an expansion.

I look forward to those types of opportunities coming forward to our producers, as well as the opportunity for the barley growers who want to ship four or five containers of barley to Indonesia. In today's day and age, it is not a big deal. It is not the 1940s or 1930s, when we had telecommunication and travel issues. People hop on planes daily now. They talk across the waters all the time. People watch the Chicago grain markets daily. It is not the big issue that it was in the past.

I will sum up with some of the things that I have seen happen around here.

I am very optimistic for the future of wheat and barley farmers. I am very optimistic for farmers in general, and for their future. I am more optimistic now, I have to say, then I have ever been in my farming or political career.

We would not have got here without the help of a lot of great individuals. A lot of people fought in the trenches on this file. A lot of farmers put their own blood, sweat and tears into this file. There are farmers who went to jail to have the right to sell their own product. My hat goes off to those farmers, and I thank them. They kept the torch alive and they did not do it for themselves, but for their kids and the whole industry. They actually had the ambition and drive to think that they could do better.

Again, I take my hat off to these guys and thank them for being there and doing that job. The guys who went to jail made an ultimate sacrifice in giving up their time with their wives and families and going through the court system. I remember driving down to Lethbridge to watch one of the court proceedings and talking to a few of the guys. My buddy, Rick Strankman, took me down there. He said: "Hoback, you've got to see these guys. They're pure, and pure through".

They were not doing it because they were greedy. They were not doing it for any reason other than they thought it was the best thing for the market, for farmers and for their families, and they should have the right to market their grain as they see fit.

That is what we are going to do here today. We are going to create a new entity, and how this entity moves forward will be decided by farmers. It will go through a transition board and then a transition

period to rediscover itself. At the end of the day, the whole farm sector will be the stronger for it, and at the end of the day, a lot of constituents will say that this debate on whether to have a single desk is finally over.

Again, I would like to thank the minister and my colleagues. I encourage the members of the opposition to work with us as we move forward in agriculture in western Canada.

• (1345)

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, picking up on my hon. colleague's mention of blood, sweat and tears, we should all realize that a lot of blood, sweat and tears have gone to build this organization that has gained a worldwide reputation. Now we are pulling the rug out from underneath it.

I appreciate the work my colleague has done on the committee and I enjoy working with him. However, I want to defend those farmer elected directors who he is attacking today. I do not think that is right. These people have been elected by farmers. They represent the majority of farmers and now they are being replaced by five government robots, or stooges, and I do not think that is right.

We talk about moving wheat across the border. A lot of us have been involved with the American regulations, the country of origin labelling. We have seen how the border has been shut down to our pork and our beef. Now we think farmers will be able to move their wheat across the border. However, in this climate of protectionism, this buy America first, does he believe it is possible the border will be shut down to our wheat if we get enough wheat that goes across the border? In other words, are the Americans going to stand for having all of our good quality wheat going in to be mixed up with theirs? Could he answer that question?

**Mr. Randy Hoback:** Mr. Speaker, I enjoy working with my colleague on the agriculture committee as well. I appreciate his passion for agriculture, even though we disagree on maybe how agriculture should move forward in the future.

He asked a question that is speculative in nature. When we look at trade, one thing we have done as a government is we have gone abroad and we have worked on trade agreements, creating proper rules so that science-based trade can proceed without interference. Those are things we have been working on with our American partners, through NAFTA, the free trade agreement, and those are things we have been working on across the board.

However, the misconception he is spreading is a combination of things. All of a sudden, everybody thinks that on August 1, 2012, all these trucks are going to be lined up at the border, heading south. The reality is the basis will change and it will reflect off a futures price that will be either out of Winnipeg or Minneapolis and then reflected back to the town of Prince Albert. That then will be the price they get at the truck.

Again, to say that we will ship all this grain into the U.S., I do not think that will happen. What will happen is farmers will look for value-added opportunities. They will look for other markets and they will use the new entity to sell into other markets. It is just that they will have a choice in how they do it.

*Government Orders*

• (1350)

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I have worked with the member on committee, as well, and I think we work reasonably well together, although we may disagree strenuously on this issue.

However, I take issue with the fact that he said that the members of the elected Canadian Wheat Board were not there to work for farmers. He is absolutely wrong on that. They were elected. The board changed at the beginning of 1998. It came out with somewhere around 10 options for farmers that it never had before. There are actually more options under the Canadian Wheat Board than there will be under the open market. They stood in election. They won their elections. Eight out of ten of them, pro single desk selling, won their elections and the government is taking the voices of farmers and votes away by this legislation. It is rolling over it, getting rid of the legislation, firing the board and coming in with a government appointed board.

Why did the government not do the proper study and take the time to do it right? The government has a majority. It could have held hearings in the west to hear from farmers. It could have seen the trouble spots. What about the transportation and collection system? What about producer cars? What about short line rails? How is the government going to ensure that they stay and are protected for farmers' interests?

**Mr. Randy Hoback:** Mr. Speaker, the member talks about short line rails. Short line rails and producer cars, which I think is more what he is referring to, are under the Canada Grain Act. They do not have anything to do with the Canadian Wheat Board Act. That right is being preserved and we know that will be used as they move forward.

Let us talk about the directors' elections. It is one thing that I always found very frustrating. In this so-called plebiscite that was held, I think 68,000 ballots were sent out 22,000 producers who actually produced wheat. Where did the extra ballots go? That has always been a frustration with the type of election the Wheat Board ran. No one knew who got to vote for whom. No one knew exactly how these ballots were being consumed.

The other thing that was never reflected in the ballots was if there was a combination of a producer who would farm 1,000 or 2,000 acres, maybe 10,000 acres, and grow thousands of tonnes, that person would have one vote and the guy who actually only had 100 acres and produced maybe only two to three tonnes, or a very small quantity, had the exact same number of votes.

Again, the Wheat Board is not a political organization. It is not a governing body. It is a business. Therefore, if we wanted to have a proper vote, then we should have had a vote based on tonnage or acreage that would have reflected what farmers who were in the commercial business of farming would have voted. However, there is no way that member or the Liberals would ever set up a system like that because they know the results would be exactly what will happen here today.

As far as this debate, it has been going on and on. Farmers are tired of it. They want to see this move forward. They do not want to see us catch up or have to spend a lot of time educating our

opposition members on why this needs to change. They just want to see it done, and that is what we are going to do.

**Ms. Candice Hoepfner (Parliamentary Secretary to the Minister of Public Safety, CPC):** Mr. Speaker, I am pleased and honoured to represent the riding of Portage—Lisgar, an amazing riding in rural Manitoba, full of producers, agriculture, manufacturers, small business, individuals and families that have built lives and communities on agriculture and the importance that agriculture brings to our country. I appreciate being able to support and represent farmers as their member of Parliament.

I want to thank my colleague, the member for Prince Albert and others who have worked so hard on this issue. Many of them are farmers. I want to give my colleagues the due respect they should have for the hard work they have done, as well as opposition members, who we disagree with on what we should do to help farmers. However, I believe the intent of the majority of opposition members is honourable in supporting farmers. I hope at the end of this debate we will be able to put aside all of the angst and division and we will truly see a viable and successful Canadian Wheat Board as well as choice for Canadian farmers.

First, I very strongly support Bill C-18. I will begin with the premise of freedom, freedom that all of us enjoy in the great country of Canada. We enjoy freedom as individuals, of faith and free speech. Business people enjoy the freedom of being able to market their goods and services. As long as the goods or services they market are legal, they should be able to market them within the regulations and laws of Canada. This is a freedom that so many western Canadian farmers who grow wheat and durum have been unable to experience. If all Canadians listening today begin with the thought of freedom for western Canadian farmers to market their wheat and durum just like farmers across the rest of Canada are able to do, that is a good foundation to build on the strength and validity of Bill C-18.

The legislation delivers on our government's long-standing commitment to give western farmers the marketing freedom they deserve. Just like there is a lot of excitement around the Jets coming back to Winnipeg, Manitoba, there is a lot of excitement among farmers and producers around the opportunity to have freedom in marketing their wheat.

I am proud of the role that agriculture plays in keeping our economy strong and stable. In 2009 the agricultural and food industry brought \$4.8 billion to the farm gate in Manitoba in total farm cash receipts. It generated just over \$4 billion in exports and the agricultural industry directly employed 30,000 Manitobans. The agricultural industry is booming in Manitoba. Some of the best crops are grown in that province. Right across our great country, the agriculture and agrifood industry accounted for over \$100 billion in economic activity and over 2.1 million jobs.

I want to speak for a moment about some of the industries in my riding.



### Statements by Members

Can-Oat, which is an oat processing facility, has done remarkably well since it has been given the freedom to market oats. I visited the facility in Portage la Prairie. I am very proud and I know the people who work there are very proud of the work they do.

Keystone Grain, another business located in Winkler, Manitoba, is able to process all kinds of grains, market and sell them around the world.

Bunge, which is located in Altona in my riding, also processes canola and does a fantastic job. It has just expanded its facilities. We have contributed with Canada's economic action plan. We helped the town of Altona support Bunge and we have another value-added industry in my riding.

Quaker Farms grows and markets vegetables.

What is not in my riding is a pasta plant. There are no value-added industries for wheat or durum. No matter what side of the issue one is on, we want value-added industries to grow and I want them to grow in my riding.

●(1355)

These businesses are tremendous and show what our hard-working farmers and food processors can do when they have the liberty to run their businesses in a free and open market. For too long, Manitoba wheat and barley growers have had that field tilted against them.

On October 18, the hon. Minister of Agriculture and Agri-Food introduced legislation that aimed to level that field by giving farmers the right to choose how to market their wheat, durum and barley independently or through a voluntary Canadian Wheat Board. The marketing freedom for grain farmers act will give every farmer in western Canada the freedom to choose how to market their grain, whether that is to a buyer who pays the full price on delivery or through a pool offered by the Canadian Wheat Board. As has already been indicated, it is our intention to have this marketing choice system in place for August 1, 2012.

Western Canadian farmers want the same freedom and opportunity as other farmers in Canada and around the world and they want to be able to market their grain based on what is best for their own business. Again, just like any other business person in Canada, they want the same freedoms to market their wheat.

I just want to quote a couple of individuals from my riding, people who are producers and who are contributing to our economy.

Lyndon Thiessen a farmer in Winkler, Manitoba, wrote to me and said, "We market all our other crops and are looking forward to doing our wheat completely on our own".

Mark Elias, from Morden, Manitoba, which is my home town, wrote:

I am writing to encourage you to keep working at removing the Board. Please remove the board. It is costing us all very dearly. I know of businesses in your home town who cannot process wheat and sell products because of the Board. As a local producer I also do not have the option of selling my wheat directly into the US market thereby reducing my profits and the productive potential of Manitoba.

●(1400)

**The Acting Speaker (Mr. Barry Devolin):** The hon. member for Portage—Lisgar will have three minutes when the House returns to this matter.

## STATEMENTS BY MEMBERS

[English]

### NATIONAL PARKS

**Mr. Blake Richards (Wild Rose, CPC):** Mr. Speaker, a new study confirms something that every Albertan already knows. Nothing matches the experience of a visit to Alberta's majestic Rocky Mountains. The study entitled "The Economic Impact of Parks Canada" finds that visitors to Alberta's national parks account for more than half of the entire contribution that our world-class parks system makes to Canada's economy.

My riding of Wild Rose is home to Banff National Park, Canada's first and greatest national park. People from around the globe flock to this special place where tourists enjoy some of the world's most pristine wilderness combined with incredible visitor experiences.

This past weekend I was honoured to represent our government at the WinterStart Festival in Lake Louise featuring men's World Cup skiing, with the women's races to follow this coming weekend.

The slopes at Lake Louise are in superb condition and there is tons of snow. I look forward to another great ski season in Banff with visitors from around the world increasing the tourism dollars that our parks contribute to Canada's economy.

\* \* \*

[Translation]

### REEBOK-CCM HOCKEY

**Mr. Tarik Brahmi (Saint-Jean, NDP):** Mr. Speaker, we were dismayed to learn last Friday that Reebok-CCM Hockey in Saint-Jean-sur-Richelieu would be cutting 85 of its 125 jobs.

This company, which specializes in manufacturing hockey equipment, was a leader in the Haut-Richelieu manufacturing industry. In a region that has been hit hard by plant closure after plant closure, yet another source of jobs will be moving production to Asia.

With only a few weeks until Christmas, this announcement is a real tragedy for the families of those who will lose their jobs. It is also a blow to our community, since manufacturing jobs are good-quality jobs. While the Conservative government has been patting itself on the back every day, on the ground we are seeing the loss of hundreds of well-paying skilled jobs that enable Canadian families to live with dignity.

I want to reiterate my support for Michel Courcy of the United Steelworkers, as well as all of the workers, and I want to let them know that they can count on me and my NDP colleagues as they go through this difficult time.

[English]

### WOODLAND CARIBOU

**Ms. Michelle Rempel (Calgary Centre-North, CPC):** Mr. Speaker, on November 25 our government announced the woodland caribou captive breeding partnering arrangement. This partnership, which involves Parks Canada, the British Columbia and Alberta governments, and the Calgary Zoo, aims to reverse the decline of woodland caribou and restore low population herds within the mountain parks region.

This conservation strategy will focus on breeding woodland caribou for reintroduction into the wild and will re-establish a breeding population of caribou in Banff National Park.

This partnership will take advantage of the expertise of the Calgary Zoo's Centre for Conservation Research which specializes in reintroduction programs for some of Canada's most endangered species.

The caribou has achieved emblematic status in Canada among other animals. Our government is committed to protecting Canada's wildlife and ecosystems. This conservation strategy for the woodland caribou is one of many important initiatives our government has undertaken for Canadians and our environment.

\* \* \*

### TRIBUTES

**Hon. Mark Eyking (Sydney—Victoria, Lib.):** Mr. Speaker, in the last few months, Cape Breton has lost two pillars in our community, police chief Myles Burke and community leader Freddie Jackson.

Chief Burke was born and raised in Louisburg. He began his policing career over 30 years ago and became our chief in 2009. He was well respected not only in policing, but also for his volunteering. Chief Myles Burke will be sadly missed and forever remembered by his wife, Jayne, and daughters, Nicole and Janine.

Freddie Jackson was born in St. John's, Newfoundland and spent many years as managing editor of the *Cape Breton Post*. He was also known for his involvement in several community organizations and for his many years of coaching and contributions to sport. Freddie will be sadly missed and forever remembered by his wife, Beatrice, and his five daughters, Stephanie, Melissa, Jillian, Nicola and Carmen.

Both of these men became my personal friends and I, along with many other people, will miss them dearly. They will continue to be great inspirations for their dedication and commitment.

\* \* \*

● (1405)

### CHARLES SAURIOL ENVIRONMENTAL DINNER

**Mr. Chungsen Leung (Willowdale, CPC):** Mr. Speaker, on November 3 I had the honour to attend the 18th annual Charles Sauriol Environmental Dinner in Toronto. This annual event to celebrate the great conservationist and visionary, Charles Sauriol, is truly an inspiring event that not only raises funds to protect Toronto's natural areas, but also raises awareness of just how important conservation is to us.

### Statements by Members

Our government has made it a priority to secure the long-term protection of Canada's natural assets. Our vision and commitment with programs like the natural areas conservation program stand in support of the vision and legacy of Charles Sauriol.

Charles Sauriol's commitment to preserving the natural areas of Toronto is commendable and has resulted in the conservation of thousands of hectares of land for future generations to enjoy.

The dinner was truly a wonderful way to express support for the Conservation Foundation of Greater Toronto and the Oak Ridges Moraine Land Trust. I want to thank members of these organizations for their commitment to a healthy environment.

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### PRINCE ANDREW HIGH SCHOOL POLITICS CLUB

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP):** Mr. Speaker, today I would like to acknowledge a special group of students from Prince Andrew High School in my riding of Dartmouth—Cole Harbour. I visited their class last month and I challenged them to become more politically engaged.

In response to my challenge, they began working with their teacher, Mr. Tim Halman, and together they have created a non-partisan, open invitation politics club. They have written a mission statement and have established goals for participation. They even plan to reach out to other high schools in the area.

On behalf of the House of Commons and Canadians everywhere, I would like to recognize the founding members of this group: Aref Taherzadeh, Thais Schlunzen, Cody Veinotte, Ian Kennedy, Brianna Titus, Julianna Robertson, Robbie Neate, Kimberly Halliday, Lily Levy, Brenna Levy, and Brennan Curry. They have answered the call to participate, and for that we should all be grateful.

\* \* \*

### FISHERMEN HELPING KIDS WITH CANCER

**Ms. Kerry-Lynne D. Findlay (Delta—Richmond East, CPC):** Mr. Speaker, I rise today in praise of the many volunteers across Canada who make a difference in our daily lives. I know for myself that some of the most significant and long-lasting endeavours that I have been involved in came from my volunteer activities.

I want to highlight Fishermen Helping Kids with Cancer which will take place in Steveston, B.C., in my riding of Delta—Richmond East next week, December 3 and 4.

Cancer has touched every Canadian family, including my own. It is somehow doubly tough to lose our children to this devastating disease.

B.C.'s commercial fishing community is holding its first annual charity herring sale, which is open to the public. All proceeds will go to the B.C. Children's Hospital Foundation to benefit children with cancer.



*Statements by Members*

The inspiration comes from personal losses and by the ever popular charitable herring fishery that was a tradition in B.C. for over 50 years until 2007 and raised over \$250,000 for orphaned children. All aspects of the event are being donated.

Well done; this is a good cause championed by good people.

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**MARKETING FREEDOM FOR GRAIN FARMERS ACT**

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Mr. Speaker, today is a great day for western Canadian farmers. This afternoon Bill C-18, the marketing freedom for grain farmers act, will be voted on at third reading in the House. For many of the MPs on this side of the chamber, the fight for freedom has gone on for years, but for farmers in western Canada, their quest has gone on for decades.

More than 60 farmers have paid their own way to Ottawa to witness today's vote. They cannot wait for the day when they can finally market their own grain. They are here because they believe in freedom. Mr. Speaker, through you, we say thank you to them.

Mr. Speaker, through you to those farmers that went to jail because they believe in freedom, we say thank you.

Mr. Speaker, through you to the thousands of farmers across Alberta, Saskatchewan, Manitoba and B.C. who have fought season after season because they believe in freedom, we say thank you.

Mr. Speaker, through you to the young farmers who are so enthused about the freedom in their future, we say thank you.

Mr. Speaker, through you to farmers like Art Mainil, Art Walde and Lionel Byrd, who believed in freedom but who never lived to see this day, we say thank you.

It is their commitment to freedom that gives us the determination to bring real choice to western Canadian farmers.

\* \* \*

[Translation]

**WAKEFIELD COMMUNITY CENTRE**

**Mr. Mathieu Ravnignat (Pontiac, NDP):** Mr. Speaker, I am most proud to rise in this House today to acknowledge the excellent work of a community in my riding. A number of my colleagues have probably had the opportunity to visit Wakefield in the municipality of La Pêche, and may have noticed, as I have, that Wakefield is a dynamic community and a major cultural and tourist hub.

● (1410)

[English]

Recently, an important project came to fruition in this community. Fifteen years ago Wakefield had a dream to have its own multi-functional community centre, and through hard work it was officially opened last Saturday.

This beautiful state of the art building would not have been possible if it were not for the involvement of countless volunteers. In particular, I would like to mention the amazing collaborative work of the volunteers and board members of the Wakefield La Pêche Community Centre Cooperative and of its president Stephen Sabean.

Mention must also be made of MNA Stéphanie Vallée, the mayor of La Pêche, Robert Bussière, municipal councillor Louis Rompré, and Caisse populaire Desjardins de Masham-Luskville.

I extend my congratulations to all.

\* \* \*

[Translation]

**VIOLENCE AGAINST WOMEN**

**Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC):** Mr. Speaker, since the National Day of Remembrance and Action on Violence Against Women on November 25, Canada has been participating in the global campaign of 16 Days of Activism Against Gender Violence.

This campaign reminds us that violence against women is a human rights violation. Our government is committed to supporting local projects to improve life for young women across Canada. That is why our government is calling for proposals for projects that will help eliminate the problem of violence against women on campuses.

Our government wants to provide communities and post-secondary institutions with more opportunities to actively prevent and reduce violence against young women. Violence against women has significant social and economic costs and affects every Canadian community. It is up to every individual to contribute to eliminating violence. It is up to all of us to change attitudes and take action to end violence against women.

\* \* \*

[English]

**GREY CUP**

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, it was a sea of orange in BC Place stadium yesterday as a sellout crowd saw the BC Lions win their sixth Grey Cup 34-23 at the 99th Grey Cup in Vancouver.

The Winnipeg Blue Bombers played well, but the BC Lions were simply a better team yesterday. They were led by quarterback Travis Lulay, the most valuable player in the CFL, running back Andrew Harris, named most valuable Canadian, and receivers like Geroy Simon and others, not to mention ex-Surrey Rams kicker Paul McCallum, who kicked four field goals. The Lions took an early lead and held to the end.

The BC Lions are popular throughout the Lower Mainland and all of B.C. They typify the kind of modest balanced approach to sports in the Canadian Football League, which is a source of pride for so many Canadians across the country.

I congratulate the BC Lions on their sixth Grey Cup victory. We look forward to celebrating the Grey Cup this weekend in the Lower Mainland.

British Columbians look forward to the BC Lions defending their title at the 100th anniversary Grey Cup next year in Toronto. Go Lions Go.

\* \* \*

#### GREY CUP

**Mr. Richard Harris (Cariboo—Prince George, CPC):** Mr. Speaker, yesterday in Vancouver there was wild cheering, shouts of adoration, dancing in the streets and love in the air, for our mighty and beloved BC Lions had just handed the Winnipeg Blue Bombers a thorough trouncing and returned the Grey Cup to British Columbia, its rightful home.

While we will try to be humble about this win, we will not forget that it was members of the Manitoba caucus who badgered our B.C. caucus into taking a substantial bet on the game. Casting our principles aside, we agreed to the wager. They were so foolish. There is no joy in the Manitoba caucus today, but there will be much joy in the hearts of a worthy charity to which we will donate the \$250 of Manitoba money.

I congratulate coach Wally Buono and the amazing BC Lions on their Grey Cup victory. They are indeed Canada's greatest football team ever.

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#### ST. JOSEPH'S HEALTH CENTRE

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, 150 years ago, the Sisters of St. Joseph first displayed the courage and vision to establish a hospital in our then young community of Guelph, at that time numbering only 3,000 or 4,000 people.

Today, the 254 bed long-term care facility which they could not then begin to imagine stands on the spot where it started out as a 16 bed clinic for the sick, elderly and infirm, and grew through the passionate work and sacrifice of the Sisters of St. Joseph.

We are so fortunate in Guelph to have a state of the art health care facility and the help and care provided by its incredible nurses, health care workers, staff and volunteers, part of the reason Guelph is considered the most compassionate city in Canada.

For the sake of Guelph and our future generations, I can only hope that some day, 150 years from now, the same reflections will be repeated by others gathering to celebrate their 300th anniversary in a facility that we cannot now, in our wildest dreams, begin to imagine.

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#### IMMIGRATION

**Mr. Deepak Obhrai (Calgary East, CPC):** Mr. Speaker, I am pleased to announce that next year our Conservative government

#### Statements by Members

will increase settlement funding for new Canadians in 11 provinces and territories, including British Columbia and Alberta.

In fact, since 2006 our Conservative government has tripled settlement funding. This comes after the Liberal government froze settlement funding for over a decade.

Our government is committed to ensuring that settlement funding is allocated in a fair manner and that all immigrants have access to the same level of services, regardless of where they choose to settle.

This year's settlement funding allocations reflect the fact that fewer immigrants are choosing to settle in Ontario. In fact, the share of immigrants settling in Ontario has decreased from 64% in 2005 to 52% in 2010.

Our government's actions are proof of our commitment to help newcomers to Canada settle and integrate quickly.

\* \* \*

● (1415)

#### POLICE SERVICES

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, the dangerous way the government has targeted police forces across the country is a new low.

[Translation]

The Minister of Public Safety really enjoys saying that he will give police officers the tools they need to keep our communities safe.

But the Conservatives have quite simply ignored the front-line police officers who were asking them not to eliminate the last restrictions on precision and assault weapons.

However, the Conservatives insist on pushing their incarceration agenda, even though police chiefs have said that it is an unbalanced approach that will simply not work.

[English]

The real crime is the way Conservative backbenchers are sitting on their hands instead of standing up for police. Those MPs refuse to speak up against a Prime Minister who is ignoring police chiefs and depriving them of the tools they are asking for. When will they finally get on side with police and keep our communities safe?

\* \* \*

#### CANADIAN WHEAT BOARD

**Mr. Ed Komarnicki (Souris—Moose Mountain, CPC):** Mr. Speaker, marketing freedom is so close that western Canadian grain farmers can almost taste it. Farmers like Dale Mainil, nephew of Art Mainil; Blair Stewart, Herb Axten, Al Johnston, and others, including the Saskatchewan and Alberta ministers of agriculture, made their way to Ottawa to voice their support for farmers and for their right to marketing freedom.



### Oral Questions

The proposed legislation would allow farmers in western Canada to have the freedom to sell their grains on an open market at a time and place of their choosing, and to seek out the best possible buyer for their top quality crops.

The Canadian Wheat Board would remain a voluntary option for farmers who wish to pool their grains. We have already begun to see the benefits of marketing freedom in western Canada with a new \$50 million pasta processing facility in Regina and a \$6 million storage expansion in Alberta.

I would encourage the opposition to stand with the government and vote to pass this important legislation tonight, so that western Canadian grain farmers can finally receive the marketing freedom they want and deserve.

## ORAL QUESTIONS

[English]

### THE ENVIRONMENT

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, Canadians are flabbergasted to find out the Conservatives want to break our solemn commitment on the Kyoto protocol. Of the 191 countries that signed and ratified the Kyoto protocol agreement, Canada is the only country repudiating it.

Canada's obligations under this agreement are legally binding. Canada's obligations to fight climate change are morally binding. Canada's obligations to future generations should be clear to all.

How can the Conservatives justify abandoning Canada's legal and moral obligations to fight climate change? How can they betray future generations so irresponsibly?

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, our government is balancing the need for a cleaner and healthier environment by protecting jobs and economic growth. We need an effective agreement. Effective means it must include large emitters. The Kyoto protocol does not include major emitters like China and the United States, and therefore will not work.

Canada will not sign onto a new agreement that does not include all major emitters.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, the Conservatives set weak insipid targets and they did not even meet their own targets. They did not get the job done.

Canada signed a legally binding international agreement. Instead of even trying to honour our word, Conservatives choose to abandon the Kyoto protocol. This is nothing less than environmental vandalism. This irresponsible action harms the planet, and kills the next generation of clean energy and Canadian jobs.

Why will the government not be responsible, show leadership, and join the rest of the world in the fight against climate change? Why is it betraying Canadians' commitment to the environment?

• (1420)

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, we are committed to

reducing Canada's greenhouse gas emissions by 17% below 2005 levels by 2020 and we are making good progress.

[Translation]

Our government is balancing the need for a cleaner and healthier environment with protecting jobs and economic growth. We need an effective agreement, and that is why the major emitters must absolutely be at the table. The Kyoto protocol does not include major emitters like China and the United States and therefore will not work. Canada will not sign onto a new agreement that does not include all major emitters.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, there is no balance. That is completely irresponsible. The Conservatives want to withdraw Canada from the Kyoto protocol and they will do so only after the summit in Durban. The Minister of the Environment's presence in Durban is a complete charade. He is going there to obstruct and stifle progress, derail talks and act like an environmental vandal. Even Brian Mulroney signed international treaties against climate change, so why are the Conservatives doing the opposite? Why are they betraying future generations? Why are they betraying the future of our planet?

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, with all due respect to the hon. member, it is strange to hear him use the word "balance". We want to balance protecting the environment with creating jobs. A government cannot take into account both the environment and the economy with an election platform that advocates \$10 billion in taxes, or an environmental platform that would increase gas by 10¢ a litre.

Mr. Speaker, let us be clear: we need an effective agreement, which takes the major greenhouse gas emitters and the protocol—

**The Speaker:** Order, please.

The hon. member for Halifax.

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, the government's position makes no sense, whether from a legal, moral or scientific perspective. By opting out of Kyoto, Canada is cutting itself off from the rest of the world. Thus, it is sure to be left out of important decisions concerning the future of the planet. The Conservatives prefer to play by themselves in their oil-sands box. Why?

**Hon. Peter Kent (Minister of the Environment, CPC):** On the contrary, Mr. Speaker.

[English]

Canada is finding that a good number of countries are moving to our position.

Canada is working toward a single new international climate change regime that will include all major international emitters, both developed and developing countries.

At the same time, Canada continues to pursue our targets of reducing greenhouse gases by 17% by 2020.

[Translation]

**Ms. Megan Leslie (Halifax, NDP):** On the contrary, Mr. Speaker.  
[English]

That was not an answer. The truth is that Conservative inaction on environment is killing Canadian jobs. Now the government is trying to change the channel by re-announcing its failed clean air agenda. The irresponsible government is making us a laughingstock internationally.

Why will Conservatives not come clean with the world, why will Conservatives not come clean with Canadians, and why will they not admit that Canada is pulling out of Kyoto?

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, I thank my colleague for her lob question. It gives me a chance to say that I am extremely pleased to inform all of my hon. colleagues that we have renewed the clean air regulatory agenda.

We will provide \$600 million over the next five years in scientific research, monitoring, modelling, regulation, and enforcement required to reduce greenhouse gas emissions and other toxic pollutants.

Our government can balance both environmental stewardship and protecting the economy.

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, I am sure the government wants to be honest, straightforward and transparent, and that is what leads me to ask a very simple question.

If it is the intention of the Government of Canada to renege on a treaty that was ratified by the Parliament of Canada, why would the Government of Canada not say so now? Why would it not just bring it forward for debate in Parliament now? Why not do it before it goes through the charade of participating in the conference in Durban? Why such a double standard?

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, talking about honesty, let us not forget that under the Liberals Canada's GHG emissions increased by 27% to 33% over Kyoto targets. Under the Liberals, Canada's total carbon dioxide emissions increased by 28 points per capita.

Our government is balancing the need for a cleaner and healthier environment by protecting jobs and economic growth. The Kyoto protocol does not include major emitters like China and the United States, and therefore will not work.

We remain committed to our targets to reduce emissions by 17%—

• (1425)

**The Speaker:** The hon. member for Toronto Centre.

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## EMPLOYMENT

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, now that the minister is talking about jobs, let us talk about jobs.

## Oral Questions

The real rate of unemployment today in Canada is 10%, which means that there are two million unemployed in Canada, people who are discouraged, who have stopped looking for work, and who are actually out of work. It is two million people.

I would like to ask the minister a simple question. Why is it that the only initiative that the government is planning to take on January 1, 2012 is a middle class tax increase? How can the government possibly justify that when there are two million unemployed Canadians?

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, our economic action plan is working. Close to 600,000 net new jobs have been created since 2009.

I must remind the House that the Liberals refused to support our budget. They walked away from the family caregiver tax credit, the children's arts tax credit, the volunteer firefighters tax credit, tax relief for the manufacturing sector, a tax credit for small businesses that creates jobs, and making the gas tax fund permanent.

This is what the Liberals walked away from.

\* \* \*

[Translation]

## GOVERNMENT SPENDING

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, this government does not realize how serious the unemployment problem is. And at the same time, it is guilty of excessive spending.

The government is wasting money on baubles and trinkets. The Minister of Foreign Affairs spent \$6,000 to replace Pellin paintings with portraits of the Queen. Furthermore, he spent \$55,000 on flags for the diamond jubilee, completely ignoring the real concerns of Canadians.

How can the government justify such excessive spending on baubles and trinkets?

[English]

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, this government strongly believes in supporting and recognizing Canadian history. It strongly believes with supporting and acknowledging the head of state of Canada, and certainly has made a number of initiatives in this regard. We think these are good things for Canada and we strongly support them.

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## CANADA-U.S. RELATIONS

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, the Prime Minister is holding closed door border security negotiations with the U.S. and Canadians deserve to know what is on the table.

Is it iris scans? Is it longer waits at the border? Is it increased fees for businesses and travellers? What is on the table?

Every single time the Minister of International Trade goes to Washington we lose as Canadians. This deal could have major implications for Canadian families. Why is the government keeping Canadians in the dark?



*Oral Questions*

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, I know this member understands that it is tremendously important that trade across our borders is open, that manufacturing sectors, particularly in southern Ontario and southern Quebec, can get their products back and forth across the border.

Canada is a trading nation, and this government is focused on jobs and the economy like a laser. We want to ensure that we deal with some of the challenges that employers have in getting their goods and services across the border. That is why we are working very closely with the Obama administration on a deal to try to address some of these challenges that are affecting both of our economies.

We are going to continue those discussions and hope to have something in short order.

**Mr. Brian Masse (Windsor West, NDP):** The truth is, Mr. Speaker, that the Conservatives put us in a major trade deficit. It is costing jobs and it must be stopped. From softwood lumber to buy American, every time the government tries to negotiate a deal with the U.S., Canada comes out the big loser. This time the privacy of Canadians is at stake.

Will the Conservatives finally stop their secret negotiations and tell Canadians what will be sacrificed in this deal? What are the Conservatives willing to give up just to push through this deal with the United States?

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, Canadians' right to privacy is something that this government respects and strongly supports but we also strongly support Canadian sovereignty. This is not an issue where Canada needs the United States. This is an issue where we need to work together to ensure that we protect jobs on both sides of the border. That could be more important in no other area of the country than his own constituency of Windsor where auto parts will cross the border some 6 to 12 times in a car manufacturing facility. We want to make it as easy as possible so that the auto workers in Windsor and southern Ontario have the very best economic conditions, not just to succeed but to thrive.

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**JUSTICE**

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, yesterday, the head the Canadian Association of Chiefs of Police made it clear that the government's prisons agenda is unbalanced. He said, "Is there a balance needed? Absolutely". Police chiefs know that keeping our streets safe must include a strategy for crime prevention, something they say that Bill C-10 just does not do.

Why are the Conservatives dead set on ignoring our police chiefs and ramming through this unbalanced prisons agenda?

• (1430)

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I do not know where the hon. member has been but we have had a complete approach. Our national crime prevention strategy, the national anti-drug strategy, the aboriginal justice system and drug courts are all part of it. However, getting tough on violent criminals is also part of our agenda and I am very proud of our complete approach in this area.

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, ignoring our chiefs of police is a new low. The government is about to pass an irresponsible prisons agenda that our top cops insist lacks the proper balance. Police officers say that they cannot keep communities safe without a focus on crime prevention. The provinces are saying the same thing and so is the opposition and yet the government refuses to listen.

Why does the government not care what our chiefs of police think about crime prevention? Why is it burdening provincial budgets with this unbalanced approach?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, I appreciate every attempt to get tough on crime will not have the support of the NDP. However, I am very pleased and proud of the support that we have received from police and police chiefs. He can selectively quote whatever he wants but law enforcement agencies across this country know that we are on the right track, that we are standing up for victims and that we are giving them the tools they need to fight crime in this country.

\* \* \*

*[Translation]***PUBLIC SAFETY**

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, this government is preparing to eliminate all restrictions on extremely dangerous firearms, such as long-range rifles and semi-automatic assault weapons. Consequently, it will be easier to purchase such deadly weapons as the Steyr HS .50, which can pierce a bulletproof vest from a distance of over 1.5 km. The Conservatives are eliminating tools that the police need to protect us.

Will the Conservatives undertake to maintain control over the sale of weapons used primarily to commit crimes?

*[English]*

**Ms. Candice Hoepfner (Parliamentary Secretary to the Minister of Public Safety, CPC):** Mr. Speaker, it is very disappointing that the NDP is left with no argument to defend the long gun registry and resorts to trying to mislead Canadians. There are no changes in Bill C-19 with regard to the classifications of firearms, to licensing, or to the requirements to have a licence to purchase or transfer a firearm. The NDP needs to stop trying to mislead Canadians and tell the truth.

[Translation]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, why should I expect an answer that makes sense from a completely senseless government that will not listen to reason?

There is no justification for eliminating restrictions on powerful weapons that have absolutely nothing to do with hunting. The Conservatives could not care less about the advice of the RCMP, the provinces and their own advisors, who are saying that Bill C-19 will increase the sale and trafficking of illegal weapons. This is not coming from me, but from them.

Why do the Conservatives want to make things easier for criminals at any cost?

[English]

**Ms. Candice Hoepfner (Parliamentary Secretary to the Minister of Public Safety, CPC):** Mr. Speaker, we were very pleased to hear from front-line officers over the last couple of weeks who overwhelmingly supported abolishing the long gun registry. They have asked us to get tough on violent criminals and those who prey on our children, which is what we are asking the NDP to support instead of trying to perpetuate this misleading information regarding Bill C-19, which will not change classifications of firearms, licensing requirements or transfer requirements.

\* \* \*

[Translation]

#### LANGUAGE OF WORK IN QUEBEC

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, this government lacks vision. Rather than working with the NDP to quickly pass Bill C-315 to protect the language rights of Quebecers working in federal works, undertakings or businesses, the Conservatives instead announced that they would be setting up a committee about which we know nothing.

Coming from a government that has invoked closure eight times since Parliament resumed, this announcement has us doubting the government's motives.

Why make the process longer rather than taking action?

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, the French language is an integral part of our history, our identity and our daily life. We are very proud of it. French is one of the founding languages of Canada.

However, we must not confuse the issue. The NDP has not done its homework and is now proposing to create useless and cumbersome paperwork for these entities. We have to be serious about this matter and conduct consultations to see whether there is a problem with the language of work at private entities that come under federal jurisdiction. That is what we will do and we will do it the right way.

• (1435)

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, I feel like I am watching an improve skit set up by Yvan Ponton.

The Conservatives are proposing to set up a committee with an unspecified mandate, unknown membership and an undetermined budget. That is a waste of time and money.

#### Oral Questions

Do they not know that by voting with us at second reading, they will send the bill to a committee already funded by the House?

If the Conservatives are serious about this and really want to protect the French language in federally regulated businesses, why do they not vote with the NDP to send Bill C-315 to the Standing Committee on Official Languages?

**Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC):** Mr. Speaker, the NDP should first do its homework instead of inventing situations to get the day's news clip by improvising policies about such a sensitive issue. What we must do is conduct consultations. That is why we will strike an advisory committee to conduct consultations about whether the language of work is an issue in federally regulated private businesses. We will do this the right way. It is not true that we will bungle the job on such a sensitive issue for purely partisan and political reasons.

\* \* \*

[English]

#### INFRASTRUCTURE

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Mr. Speaker, after pressure from the Ontario New Democrats, the McGuinty government has agreed to extend the deadline for the stimulus program for three Hamilton projects and is now calling on the federal government to be reasonable and grant the same common sense extension.

These projects are vital to Hamilton. Will the government be reasonable and grant the extension?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, like we have said before, the date has to be respected. It was over two and a half years to deliver thousands of projects all around this country, which what most municipalities have done. I am sorry but the date was the date and it is over.

\* \* \*

#### EMPLOYMENT INSURANCE

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, recently, the Conservative government has shown a big appetite to change long-standing institutional names, so I might suggest one: changing the minister responsible for EI from “employment insurance” to “erroneous information” because last week, in the Charlottetown *Guardian*, she stated, inaccurately, regarding EI, “We are currently averaging 23 days for speed of the first payment”.

She now knows full well that what she said was totally untrue. Could she tell the House today how long it is taking people who are eligible for EI to get their first payment?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, I did address this issue last week. We are facing challenges meeting the needs of Canadians. We are investing in new systems, in automation and in upgrading of our systems so we can respond to Canadians in a timely manner because they all deserve and need certain benefits in a timely manner.



### Oral Questions

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, I still do not think she understands the situation. I asked her the question on the indicator and she had a Charlie Sheen moment, handing the wheel over to her deputy.

The speed indicator measures two things: the time it takes for the payment to be issued and the time it takes for notice of non-payment to be issued. It is tough putting oil in the tank and food in the fridge with a notice of non-payment.

The minister misrepresented that particular statistic as if everybody was getting a cheque in 23 days. Will the minister stand today, correct the record and tell us how long unemployed Canadians are—

**The Speaker:** Order, please. The hon. Minister of Human Resources.

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, the facts are the facts. On average, 80% of the time, people do get their cheques within 23 days. It is those who are eligible for cheques who receive them. Mr. Speaker, you do not receive one in 23 days because you are not eligible.

We are trying to improve on this because Canadians do need better than that and we want to be there to help them in their time of need.

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, the minister has no clue. She talks about effectiveness and efficiencies but she should check her departmental statistics: speed of EI payment, worst rate in five years; EI call service level, worst performance in six years; average EI processing time, worst in the last five years; percentage of calls being hung up on, the highest in six years. When people call and press 2 to get an attendant, they actually have a better chance of being hung up on. Is this the minister's idea of efficiency and effectiveness?

We should be changing the name of Service Canada to no Service Canada because unemployed Canadians—

• (1440)

**The Speaker:** Order, please. The hon. Minister of Human Resources and Skills Development

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, people at Service Canada are working hard to see that Canadians do get the benefits they need. I do not think they need to be treated the way the hon. member just treated them. They deserve better than that because they are working to help Canadians. We are trying to help them do that by automating the system—

Some hon. members: Oh, oh!

**The Speaker:** Order, please. The hon. minister has the floor.

**Hon. Diane Finley:** Mr. Speaker, we are trying to help them achieve better service levels because Canadians need and deserve that, especially in their time of need.

\* \* \*

### HEALTH

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, the current health accord says that funding commitments require that jurisdictions comply with reporting provisions. The Conservatives

have failed to live up to this commitment. The minister says that the next accord will be about accountability but, without reporting, she cannot tell us what the current accords have achieved.

The government is sleepwalking into the next accord, blind to what happened under the last one. Where is the accountability now?

**Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC):** Mr. Speaker, I had very productive meetings with the health ministers this past Friday. We discussed many important issues, such as obesity, suicide prevention, mental health and MS.

Minister Bolduc, Quebec's health minister, said that he felt there was excellent collaboration among the provinces and the federal government. He felt that we were listening to them.

That is great news. It reflects the success of our discussions and advances that we have made together to better the health care system for all Canadians. Our government will not be like the previous Liberal government that slashed health and education transfers to the provinces.

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, the minister failed to address the key issue. The federal government has invested almost \$160 billion in health care under the current accord. However, because of the government's mismanagement, Canadians do not know what value they are getting. The government has failed to ensure proper reporting on the impact of that spending.

Much of what the Conservatives promised, a pharmaceutical strategy, public health strategy and long-term care, are nowhere in sight. When will they finally demonstrate some leadership on this accord? Why wait until 2014 to be accountable?

**Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC):** Mr. Speaker, what was not stated in that statement is that the 2004 accord also required a committee to review the accomplishments. That work is currently being carried out in the Senate. I am looking forward to receiving the findings of the review from the Senate committee, which will be completing that report in the next month or so.

One of our goals is to ensure there is accountability in the way the money is being spent. I will continue to work with the provinces and territories in the delivery of health care to their residents.

[Translation]

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, this government's record on health is appalling. Not only has it been unable to have current health accord commitments honoured, but now the Minister of Health has said that she will not be involved in negotiations for a free trade agreement with the EU. The accord calls for greater protection for pharmaceutical patents, which would force us to spend billions of dollars more every year.

Will the minister do the responsible thing and intervene in order to ensure that we do not have to pay more for our medication?

[English]

**Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC):** Mr. Speaker, the meeting I had on Friday was a great opportunity to hear about what the provinces are doing to improve health care in their jurisdictions. Minister MacDonald, Nova Scotia's health minister, told the media that the meetings were very productive and that the discussions focused on issues that are important to all jurisdictions. The minister from Quebec also said that there was very good harmony among all partners. They all had the same goal and that was to improve the health outcomes for all Canadians.

[Translation]

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, the problem is that this issue relates to the CETA, not the provinces. If this is the government's idea of defending the interests of Canadians, so much for that.

We will have to spend an estimated \$2.8 billion more a year on drugs if Canada signs this agreement with the EU. And Canadians will receive nothing in return: no access to better drugs, generic drugs or low prices.

Why is the minister taking this file so lightly without showing any leadership? Why is she defending large pharmaceutical companies instead of Canadians?

● (1445)

[English]

**Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC):** Mr. Speaker, I absolutely disagree with the premise of the hon. member's question.

I would remind the hon. member opposite that our government always protects and advances Canada's interests during international negotiations, and we will only enter into an agreement that is in Canada's best interest. We will continue to consult closely with Canadian stakeholders and with provincial and territorial governments with respect to all issues regarding the CETA with the European Union.

The benefits to Canadians are clear: a trade agreement with the European Union is expected to boost Canada's economy by \$12 billion and increase two-way trade by 20%.

## Oral Questions

### CANADIAN WHEAT BOARD

**Mr. Merv Tweed (Brandon—Souris, CPC):** Mr. Speaker, today the Minister of Agriculture was joined by the agriculture ministers of Saskatchewan and Alberta on behalf of the minister from British Columbia to explain the importance of the marketing freedom for grain farmers act to western Canada. For far too long, western Canadian grain farmers have been treated like second-class citizens. That is why we introduced Bill C-18 to give western Canadian grain farmers the right to sell their grain to whomever they choose, including to a voluntary Canadian wheat board.

Could the minister please outline the importance of passing Bill C-18 as quickly as possible?

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC):** Mr. Speaker, I want to thank my colleague, the member for Brandon—Souris, for the great job he has done in getting us to this historic day. This is a great day. We celebrate it with my colleagues from Alberta and Saskatchewan, joined by my colleague from British Columbia and by dozens of actual producers from western Canada.

This is a tremendous day. This is a movement forward. This is what we have been waiting for for decades. We will get the job done tonight.

\* \* \*

[Translation]

### NATIONAL DEFENCE

**Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP):** Mr. Speaker, looming civilian staff cuts at Canadian Forces Base Valcartier are causing concern in my riding because 1,400 civilians who work on the base might lose their jobs. These are civilians who play an important role and allow the Canadian Forces to do their work effectively and safely.

Can the minister tell us here and now whether he intends to cut jobs at Valcartier?

[English]

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, like all departments, the Department of National Defence is looking across the board at our budgets. We are looking at individual efforts to find efficiencies. With respect to managing the workforce, we want to ensure we have the right people in the right place at the right cost to taxpayers. This includes always examining a range of options to find processes designed to increase those efficiencies to ensure we are making smart decisions on behalf of the government and, most importantly, on behalf of taxpayers.

[Translation]

**Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP):** Mr. Speaker, the people of Valcartier who are worried about losing their jobs because of cuts by this government cannot wait and see what happens and wait while the government wastes its time with such studies.

Last month, we learned that the Department of National Defence was considering selling some of its properties and closing some facilities as a cost-cutting measure.



### Oral Questions

The minister refused to answer Canadians' questions then, so I am asking him again: will the minister promise to keep all the bases open?

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, as with issues related to families and businesses, the Government of Canada is continuing to review its resources in an effort to find effective solutions.

[English]

We are in a position, obviously, with the slowing of the global economy, to make important smart decisions on behalf of taxpayers. What does not help is when members of the opposition, as the member just did, get up and cast fear and doubt across communities and across bases in this country.

**Mr. Matthew Kellway (Beaches—East York, NDP):** Mr. Speaker, perhaps the minister will tell us how many bases will have to close when the government is forced to pay the true costs of the F-35s.

Norway has acknowledged that the true cost of their 52 F-35s will be \$40 billion or more. Are the Conservatives so blindly committed to the F-35 boondoggle because someone in Washington told them so, or are they prepared to act independently in our national interest and put this out for tender?

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, I do not know how many times we need to repeat the same end story.

The F-35 did go out to competition. It won out. Our government's preference is to put our trust in our pilots and materiel experts who know the importance of the F-35 program, which is producing the 21st century fighter our military needs while at the same time sustaining quality aerospace jobs across Canada.

• (1450)

**Mr. Matthew Kellway (Beaches—East York, NDP):** Mr. Speaker, I am surprised to hear the government admit to such blind adherence to Liberal government policy, but it was, after all, the associate minister who turned a Liberal procurement initiative into his own, and I quote, "crusade".

National Defence is facing a fiscal crunch. Instead of cutting back on bases and instead of cuts to navy operations, why will the government not agree to have a competition to replace the F-18s? When will it put this deal out to tender?

**Hon. Julian Fantino (Associate Minister of National Defence, CPC):** Mr. Speaker, all reasonable people agree that we need aircraft to defend Canada's sovereignty. Our plan is on track. An extensive and rigorous competition has taken place. It happened, as was stated, under the previous Liberal government. If the opposition members had their way, they would cancel the equipment our air force agrees is the best our men and women need to do their job effectively, efficiently and safely.

\* \* \*

### THE ENVIRONMENT

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, the Minister of the Environment sure likes to stick to his talking points

on the future of climate change negotiations, but the reality is that the plan is to ensure that there will be no future international agreement.

Why are the Conservatives misleading Canadians and the international community by trying to hide the fact that they are actually negotiating in bad faith?

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, that question from the Liberals is pretty rich, given that Kyoto represents one of the biggest blunders of the previous Liberal government. They made it even worse by cynically embracing Kyoto while knowing they would never work to fulfill their obligations.

In Durban, Canada will continue to work to encourage the international community to embrace a new international climate change agreement that includes all major emitters.

\* \* \*

### ABORIGINAL AFFAIRS

**Hon. Carolyn Bennett (St. Paul's, Lib.):** Mr. Speaker, in question period on Friday, the Minister of Aboriginal Affairs responded to a question on the crisis in Attawapiskat by actually blaming the community. October 27, Chief Theresa Spence declared a state of emergency. A month later, the minister says he will send some of his officials to investigate. What will they investigate—that people are living in tents, that winter is coming, that the Red Cross has already decided to move in?

When will the minister act immediately to work with the community and fix the situation?

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, we are deeply concerned about this situation. We have had officials in that community at least once a month, because we are building a school in the community. Since coming to government, we have invested very significantly in the community. My officials are in the community today to investigate why the first nation is facing so many challenges, given the significant funding for housing, infrastructure, education and administration.

I spoke with my officials today, and they are making sure—

**The Speaker:** Order. The hon. member for Burnaby—Douglas.

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### INFRASTRUCTURE

**Mr. Kennedy Stewart (Burnaby—Douglas, NDP):** Mr. Speaker, the City of Calgary negotiated in good faith with the federal government for three years to build badly needed recreation centres in fast-growing parts of the city. The city spent millions as part of the application process. Mayor Nenshi has pointed to the Conservative government's bad faith on this issue. Why did the Conservatives pull the plug, and why are they taking Calgary for granted?

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, PPP Canada Inc. is a great arm's-length organization that analyzes all sorts of projects all across this country. We are looking forward to some of these investments that will help municipalities with their water and their sewers and their major infrastructure projects.

The projects in Calgary actually did not qualify for P3 funding at this time.

**Mr. Kennedy Stewart (Burnaby—Douglas, NDP):** Mr. Speaker, unfortunately that answer will not help Calgary families. If they were not going to receive funding, why were they not told three years ago?

The City of Calgary was told the project only needed political approval. If recreation centres were not eligible for funding, why did the government's website say they were? Why was this information mysteriously removed from the website just hours after the mayor's press conference?

Calgary families are waiting for an answer. When will the Conservatives come clean?

• (1455)

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, it is unfortunate that the opposition stands up and asks questions about PPP Canada Inc. when, if we go back in history, those members actually voted against putting PPP Canada Inc. in place as an arm's-length organization that would analyze infrastructure requirements across this country and look at a new concept of partnering with other levels of government and the private sector to fulfill the infrastructure requirements of these communities.

I would encourage those members to support some of these investments, rather than criticizing them.

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### FIREARMS REGISTRY

**Mr. Bryan Hayes (Sault Ste. Marie, CPC):** Mr. Speaker, today the NDP unveiled a new ad campaign targeting our government's commitment to end the wasteful and ineffective long gun registry once and for all. The ad claims that there are "no more safeguards" for dangerous firearms—

**Some hon. members:** Oh, oh!

**The Speaker:** Once again I will ask hon. members to hold off on their applause until either the end of the question or maybe until the end of the minister's answer.

The hon. member for Sault Ste. Marie has the floor.

**Mr. Bryan Hayes:** Mr. Speaker, the ad claims there are "no more safeguards" for dangerous firearms. This is a laughably preposterous and illogical statement, as firearms licensing remains unchanged.

Could the Parliamentary Secretary to the Minister of Public Safety please comment on these misleading advertisements?

**Ms. Candice Hooppner (Parliamentary Secretary to the Minister of Public Safety, CPC):** Mr. Speaker, I would like to thank the member for Sault Ste. Marie for his good work on this file.

### Oral Questions

The NDP clearly does not understand the Canadian firearms program or does not understand classification. The firearm in the ad that was leaked to the media this weekend is clearly a restricted firearm.

Why is the NDP misleading Canadians instead of speaking the truth? It is because there is no valid argument in support of the long gun registry, so those members resort to half-truths and misinformation.

\* \* \*

[Translation]

### REFUGEE STATUS

**Hon. Dominic LeBlanc (Beauséjour, Lib.):** Mr. Speaker, the excellent work done by our armed forces in Afghanistan would not have been possible without the help of the Afghan interpreters who put their lives and those of their families at risk in order to help Canada. Although they were promised refugee status in Canada, two-thirds of the interpreters who have applied have had their applications refused.

Why are the Conservatives abandoning those who helped Canada at a very difficult time and who put their lives and those of their families at risk to help our armed forces?

[English]

**Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC):** Mr. Speaker, I want to point out that our government recognizes these brave and courageous Afghans. They made a significant contribution to our mission and saved Canadian lives.

That is why we introduced the special visa program: to help former translators facing exceptional risk or serious injuries to bring their families to Canada. That program allowed for 450 interpreters and their families, but we have expanded it by almost 20%. Now 550 Afghan interpreters and their families are able to come to this country to find safety, security and a new life in our country.

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### MOTOR VEHICLE SAFETY

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, The families of cyclists and pedestrians killed in truck collisions joined me this morning to call on the minister to mandate side guards.

Karen Hartmann talked about her pain in losing her husband when he was crushed, and her daughter described life without her father. Four different studies from the EU, Germany and the UK showed side guards reduce fatalities by up to 50%.

How many more preventable deaths will it take for the government to act?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, our thoughts and support go out to all those who have been involved in tragic bicycle and pedestrian accidents.

We are always looking at ways to improve pedestrian and cyclist safety in the presence of motor vehicles.



*Points of Order***FOREIGN AFFAIRS**

**Mr. Brad Butt (Mississauga—Streetsville, CPC):** Mr. Speaker, today, the Egyptian people have had the chance to experience democracy for the first time in more than 30 years, in multi-party elections. Freedom, democracy, human rights and the rule of law are principles that our government stands firmly behind and are something that was not an option under the former Mubarak regime.

As many of my constituents are watching closely, could the Minister of Foreign Affairs please update the House on the democratic transition that is taking place in North Africa?

• (1500)

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, the courage and the determination of the Egyptian people are a real example for the world. Our hearts and minds are with them today as they undertake a democratic transition. We want to wish them well in exercising the legitimate right to represent those who govern themselves.

This morning I met with the Egyptian ambassador and underlined Canada's wish that the transition to democracy continue without delay and that the basic rights of Egyptians would be respected. We stand with the people of Egypt and look forward to working with them in this democratic transition.

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, in a disturbing pattern, the government continues to abandon Canadians detained abroad. Henk Tepper, a New Brunswick potato farmer, has been in prison for eight months in Beirut, even though he has not been charged with any crime. His health is deteriorating, yet our officials have visited him only once. This man remains jailed, without any charges.

Why does the government refuse to protect Canadian citizens abroad and will the minister intervene and ensure his safe return before Christmas?

**Hon. Diane Ablonczy (Minister of State of Foreign Affairs (Americas and Consular Affairs), CPC):** Mr. Speaker, the government remains concerned about and I assure the House is very active in Mr. Tepper's case. We know that this is a very difficult time for Mr. Tepper and his family. However, based on information we have received, public profile would not be in Mr. Tepper's best interests at this point.

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[Translation]

**THE ENVIRONMENT**

**Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ):** Mr. Speaker, a new round of climate change negotiations is starting today, and the Conservatives' position is contradictory to say the least.

On the one hand, the minister claims that he will be "tough" on developing countries that are not doing their part, but on the other hand, he plans on abandoning our formal Kyoto commitments. As the environment commissioner said, the only thing that the government has managed to lower is its own greenhouse gas reduction targets.

Who is the minister trying to kid by saying that he will urge developing countries to do their part, when Canada itself is an environmental delinquent?

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, I thank the hon. member for his question.

Canada is working to create a single new international climate change regime, which includes commitments made by all the major emitters.

[English]

We are working with our international colleagues to create a new international climate change agreement which will include all major emitters.

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**PRESENCE IN GALLERY**

**The Speaker:** I would like to draw to the attention of hon. members the presence in the gallery of the Hon. Bob Bjornrud, Minister of Agriculture for Saskatchewan.

**Some hon. members:** Hear, hear!

**The Speaker:** I would also like to draw to the attention of hon. members the presence in the gallery of the Hon. Evan Berger, Minister of Agriculture and Rural Development for Alberta.

**Some hon. members:** Hear, hear!

[Translation]

**The Speaker:** The hon. member for Portneuf—Jacques-Cartier on a point of order.

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**POINTS OF ORDER**

## STATEMENTS BY MEMBERS

**Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP):** Mr. Speaker, last Thursday the member for Ottawa—Orléans took advantage of my not being in my seat and insinuated that, in a statement I made on November 23, I put words in his mouth that he never uttered. Today I would like to correct the statement he made at the time. I shall read exactly what was said on November 22 in the Standing Committee on Official Languages.

I think it is rather inappropriate to use the official languages committee to make such inflammatory remarks. Canada's linguistic duality is essential to the country's survival.

A little further, we read:

Because this issue is raised in every meeting, I would like to take a few moments of my time here to point out that I was among the most disappointed of MPs when we learned of the appointment of a non-bilingual auditor general.

When the appointment was announced, I reacted strongly, wanting to know where the mistake had been made. The question I asked was, "Are you asking me to believe that nowhere in this country is there an accountant, an auditor, who is not just as qualified as the one we have hired, but who is also bilingual?"

I think that is clear enough. To put things in perspective, I will also reread my statement to make certain that everyone sees that the words I spoke were found in the remarks of the hon. member for Ottawa—Orléans.

I would like to read my statement, which will not take very long—

● (1505)

**The Speaker:** I think the hon. member has had enough time to present her argument, but the Chair believes that this disagreement over facts is not a valid point of order. I shall end the discussion now.

The hon. member for Saint-Bruno—Saint-Hubert.

#### ORAL QUESTIONS

**Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP):** Mr. Speaker, although my colleague, the hon. Minister of Foreign Affairs and member for Ottawa West—Nepean, is not here, I would like to remind him, regarding what he said during oral questions last Friday, that I am the member for Saint-Bruno—Saint-Hubert, and my name is Djaouida Sellah, not Pauline Marois.

## ROUTINE PROCEEDINGS

[English]

### HUMAN RIGHTS COMMISSION

**The Speaker:** I have the honour to lay upon the table a special report from the Canadian Human Rights Commission entitled, "Human Rights Accountability and National Security Practises".

[Translation]

Pursuant to Standing Order 108(3)(e), this document is deemed permanently referred to the Standing Committee on Justice and Human Rights.

\* \* \*

[English]

### COMMITTEES OF THE HOUSE

#### CITIZENSHIP AND IMMIGRATION

**Mr. David Tilson (Dufferin—Caledon, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the first report of the Standing Committee on Citizenship and Immigration entitled, "Supplementary Estimates (B) 2011-2012".

HUMAN RESOURCES, SKILLS, SOCIAL DEVELOPMENT AND THE STATUS OF PERSONS WITH DISABILITIES

**Mr. Ed Komarnicki (Souris—Moose Mountain, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the first report of the Standing Committee on Human Resources, Skills, Social Development and the Status of Persons with Disabilities in relation to supplementary estimates (b) 2011-2012.

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#### CANADA LABOUR CODE

**Ms. Chris Charlton (Hamilton Mountain, NDP)** moved for leave to introduce Bill C-361, An Act to amend the Canada Labour Code (minimum age of employment).

She said: Mr. Speaker, I am pleased to introduce this bill which complements the incredible work of young members in the trade union movement who are raising awareness about Canada's inadequate minimum age laws and to advocate for Canada to ratify International Labour Organisation convention 138.

#### Routine Proceedings

My bill would bring federal labour legislation into compliance with ILO convention 138 by ensuring that the age of employment shall not be less than the age of completion of compulsory schooling, which in Canada is age 16.

This threshold is set to protect the health and well-being of young people, and to ensure that they have the proper means to develop as individuals and citizens through sufficient education.

Just to be clear, my bill is not targeted at teens who work at Timmies after school. I fully appreciate that many students need part-time work to save for post-secondary education, help their families survive in these difficult economic times or to gain valuable working experience.

My bill would make an explicit exception for the light work of persons between 13 and 15 years of age. It states that such work may be permitted if it is not likely to be harmful to their health or development and is not such as to prejudice their attendance at school, their participation in vocational orientation or training programs.

However, there is an urgent need for Canada to act on adopting a minimum age law. We need to be clear that we do not condone child labour and we need to reverse the trend of increasing young people injured on the job. We have a duty to protect young Canadians.

It is shameful that all the existing minimum age laws under Canada's federal, provincial and territorial jurisdictions currently contravene convention 138. In some cases, as with the provinces of British Columbia and Alberta, official minimum age laws have actually weakened in recent years, dropping to as low as 12 years of age.

I hope that passage of my bill will be the impetus the government needs to finally signing on to ILO convention 138. Canada should be a leader in the fight to defeat child labour globally, but instead we remain passively complicit, if not active proponents of child labour here at home. If Canadians were aware of this fact, I am sure they would wholeheartedly agree that the time to act is now.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

● (1510)

#### EMPLOYMENT INSURANCE ACT

**Ms. Chris Charlton (Hamilton Mountain, NDP)** moved for leave to introduce Bill C-362, An Act to amend the Employment Insurance Act (increase of maximum number of weeks: combined weeks of benefits).

She said: Mr. Speaker, all too often the government pays lip service to supporting women without taking any concrete steps to improve the lives of women and girls. Offering posters and platitudes simply is not good enough.



*Routine Proceedings*

We need to take action now. That is why I am pleased to reintroduce legislation today that would make the employment insurance system fair for working mothers. One of the many barriers that prevent women from accessing EI entitlements is the anti-stacking provisions in the Employment Insurance Act. For example, these provisions prevent mothers who have secured maternity and parental benefits from accessing regular EI benefits in the event that they lose their jobs during these officially sanctioned leaves.

With layoff announcements still coming daily, new mothers often find that their workplaces are closing during their maternity leave, or they return to work but lose their jobs soon after. Shamefully, they find that they no longer qualify for the employment insurance benefits for which they have paid.

My bill would bring fairness to working mothers by eliminating the 50-week cap and changing the qualifying period so individuals could access their maternity, parental, sickness and compassionate care benefits without worrying that if they lost their jobs in the interim they would be left without EI.

Working moms deserve the support of this House. I urge all members to give unanimous consent to pass this bill now.

Finally, I want to thank the member for Nanaimo—Cowichan for seconding this bill and for her continuing support of this initiative. I know that when that bill comes before her committee, she will lead the fight for fairness for working mothers.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

**CONSCIENTIOUS OBJECTION ACT**

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP)** moved for leave to introduce Bill C-363, An Act respecting conscientious objection to the use of taxes for military purposes.

He said: Mr. Speaker, I am pleased to present this bill respecting conscientious objection to the use of taxes for military purposes. As an aside, I thank my colleague from New Westminster—Coquitlam for seconding this bill.

According to this bill, once an individual registers with the Minister of National Revenue as a conscientious objector, he or she may then request that a portion of taxes for military purposes be credited to a special conscientious objectors' account. This money would then be used for any non-military peace-building purposes.

I would like to congratulate my former colleague, Bill Siksay, for all his hard work in this area. Details of how this can be implemented are outlined in the bill.

I would also like to thank Anna Kirkpatrick and others from Conscience Canada who worked with me to fine-tune this bill.

Let us give peace a chance.

(Motions deemed adopted, bill read the first time and printed)

**PETITIONS****THE ENVIRONMENT**

**Mr. David Tilson (Dufferin—Caledon, CPC):** Mr. Speaker, I have a petition signed by residents from all over Ontario concerned with the proposed mega-quarry in Melancthon township in Dufferin county. This will be the largest open pit quarry in Canada at over 2,300 acres. People are concerned that the mega-quarry threatens the Grand and Nottawasaga Rivers' watersheds, including various freshwater fish species.

They call upon the Government of Canada to conduct an environmental assessment under the authority of the Canadian Environmental Assessment Act on the proposed Highland Companies' mega-quarry development.

**KIDNEY RESEARCH**

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I am pleased to rise in the House today to present two petitions.

The first petition is from residents of the Peterborough area who are very concerned that kidney disease is a huge and growing problem in Canada. While real progress is being made in a variety of ways of preventing and coping with kidney disease, in particular the development of bio-artificial kidneys, they call upon Parliament to make research funding available to the Canadian Institutes for Health Research for the explicit purpose of conducting bio-artificial kidney research as an extension of the research being successfully conducted at several centres in the U.S.

● (1515)

**HUMAN SMUGGLING**

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, the second petition concerns the formerly named Bill C-4, which was the bill on preventing human smugglers from abusing Canada's immigration system.

In this petition, signed by people in East Vancouver, the petitioners point out that this particular bill violates Canada's international obligations under the Convention relating to the Status of Refugees, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child.

They point out that smuggling is already punishable by life imprisonment or a fine up to \$1 million in the Immigration and Refugee Protection Act. They call on the Government of Canada to withdraw this bill.

## CANADIAN WHEAT BOARD

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, this is a very timely petition given the government introduced Bill C-18, which is going to kill the Canadian Wheat Board. This petition is signed by many prairie farmers calling upon the government to respect the wishes of a majority of farmers. We all know that the majority of prairie grain wheat farmers want to retain the Canadian Wheat Board.

It is with pleasure that I submit this particular petition, which is very timely, and would ask all government members to pay attention to what a majority of grain farmers are saying in the Prairies.

## AFFORDABLE HOUSING

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, it is my honour to present a petition which has been submitted by residents of Vancouver. It is a petition dealing with the right to housing, specifically noting that the right to proper housing is within Canada's commitments under the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, and pointing to solutions that have been developed.

This petition specifically references the Federation of Canadian Municipalities' proposals for a plan on housing and homelessness. It calls on the federal government not only to have a national affordable housing program but to make some very significant changes to our tax structure to allow those who are investors and builders to get a tax benefit from building more rental housing.

I am very honoured to present this petition. I know there are people at the city level who will be working very hard. We need to join with them at the federal level.

## CHILD PORNOGRAPHY

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, a number of folks from Trail, Montrose, Fruitvale and Rossland are really concerned about child pornography and child exploitation. The petitioners state that statistics show that 39% of those who possess child sex abuse materials have images of children between the ages of three and five and 83% have images of children between the ages of 6 and 12 being sexually assaulted.

Section 163 of the Criminal Code currently allows sentencing of as little as 90 days for making criminal child sex material and 14 days for the possession of criminal sex materials. They request that Parliament speedily enact legislation to change this illegal terminology in section 163 from child pornography to child sex abuse materials, and enact strong and mandatory minimum sentences to protect children, provide justice and deter pedophilia.

## MULTIPLE SCLEROSIS

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, I am pleased to present this petition regarding chronic cerebrospinal venous insufficiency or CCSVI.

Over 15,000 procedures have now been performed in over 60 countries. While the government has announced requests for proposals for phase 1 or 2 clinical trials, angioplasty is a standard of care practice in North America. The United States already has three phase 2 clinical trials being undertaken.

S.O. 52

The petitioners are calling on the Minister of Health to consult experts actively engaged in diagnosis and treatment of CCSVI, to undertake phase 3 clinical trials on an urgent basis with a large patient participation in multiple centres across Canada, and to require follow-up care.

\* \* \*

## QUESTIONS ON THE ORDER PAPER

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I ask that all questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

● (1520)

## REQUEST FOR EMERGENCY DEBATE

## THE ENVIRONMENT

**The Speaker:** The Chair has a request for an emergency debate on the same subject by two different members. I will hear the member for Etobicoke North first and then the hon. member for Saanich—Gulf Islands.

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, I rise to ask for an emergency debate regarding federal leadership on our international obligations with respect to climate change.

As the world's nations, which have committed to action on climate change, begin meeting for COP 17 in Durban today to negotiate a fair, ambitious and binding deal to address global climate change, our own government is threatening to eschew its international obligations.

The latest round of negotiations is particularly important because the existing framework expires next year and the window to keep climate change to the 2°C limit, a threshold associated with dangerous climate change, is fast approaching.

I therefore request an emergency debate to ask the government to show leadership by providing a clear plan to demonstrate how it will meet its 2020 greenhouse gas emission targets, reversing any climate change and ozone monitoring cuts at Environment Canada, and taking a leadership role in negotiating in good faith at Durban.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, while our requests to adjourn for an emergency debate are in the same subject area, they are slightly different.



### *Government Orders*

I am requesting an emergency debate on a specific and important matter regarding urgent consideration. It is specifically in reference to Canada's negotiating position at COP 17 taking place and opening today in Durban, South Africa.

In this House, we have not had an opportunity to debate and as I laid out in my letter to you, Mr. Speaker, we have been denied positions within the official delegation, which means no opposition members of Parliament will be capable of advising our government as it goes forward in negotiations.

I did put a question to the hon. government House leader on Thursday as to whether there would be an opportunity to debate climate change in the very narrow window we have to influence the Canadian government, that being the time before the hon. Minister of the Environment himself leaves to go to Durban to lead our delegation in those negotiations.

This is very urgent. It is very specific. If there were ever a time for an emergency debate in this House, it would be on this issue on this day when we have also just learned through the media that there is an intention from the government, without having consulted the House, to actually withdraw from our legal commitments.

I ask you, Mr. Speaker, with the number of precedents which I have cited for you, that your discretion be exercised toward allowing the members of Parliament in the House of Commons, here present, to have an opportunity to debate the urgent issue of our negotiating position going toward COP 17.

#### SPEAKER'S RULING

**The Speaker:** I appreciate the fact that there may have been a slight difference in the request for emergency debate. The main thrust of the subject matter was in the same general context, so that is why I chose to treat the requests at the same time.

I regret to inform the members that I do not think it meets the very high threshold established for granting emergency debates at this time.

## GOVERNMENT ORDERS

[English]

### MARKETING FREEDOM FOR GRAIN FARMERS ACT

The House resumed consideration of the motion that Bill C-18, An Act to reorganize the Canadian Wheat Board and to make consequential and related amendments to certain Acts be read the third time and passed, and of the amendment.

**The Speaker:** The hon. parliamentary secretary has three minutes left to conclude her speech.

**Ms. Candice Hoepfner (Parliamentary Secretary to the Minister of Public Safety, CPC):** Mr. Speaker, I will quickly summarize what I began my speech with and that was the great benefits that the farmers and the producers in my riding and throughout the province of Manitoba will receive once Bill C-18 is passed and they have true marketing freedom in order to market their wheat.

I also couple that with the fact that all of us want to see a successful Canadian Wheat Board, a voluntary Wheat Board. We want to see it maintained and be successful. We think that we can have a successful Wheat Board as well as marketing freedom for Canadian western wheat farmers.

I was also giving some quotes from some of the farmers in my riding, who indicated their support for us giving them freedom and choice. I want to quote Lorne Hulme. He is from Hulme Agra Products, which is in MacGregor, Manitoba, a great little community in my riding. This is what Lorne said:

I should have the right to decide what to do with my grain. Not to be dictated to by people who have little or no involvement in western Canadian agriculture...I strongly encourage you to continue on your path to assure that each farmer in western Canada has the right to market his/her grain as they see fit.

Then he thanks us all for our efforts and encourages us to not give up. I am pleased that we have not given up on this and we will be ensuring marketing freedom for western Canadian farmers.

I did receive correspondence, emails and phone calls, and I had discussions with individuals in my riding who wanted to keep the monopoly. They were concerned that the Wheat Board would fail if a monopoly was not intact. Therefore, about three years ago I met with members of the board of directors from the Canadian Wheat Board in my office. At the time I told these individuals that as leaders they needed to see that progress could not be stopped. Progress can never be stopped in a democratic and free nation.

Individual farmers and farmers groups were asking for marketing freedom, so my message to those members of the board of directors was for us to work together to have a win-win scenario where we can have a viable Wheat Board which is voluntary and also marketing freedom for farmers.

Unfortunately, their message to me was that they got up and walked out of the room and said they would not be party to that, that they did not want to see that happen.

I can say that the opposite was true when I would talk to farmers who wanted freedom. None of them were interested in destroying the board. They still wanted to see the board viable. They just wanted their own freedom and options. Therefore, it is very disappointing to see some of the approaches that have been taken by certain supporters of the monopoly and specifically some of the board members.

Can a board survive without a monopoly? Absolutely. We see it each and every day. We see it in the provinces of Manitoba and Saskatchewan where voluntary pools and marketing boards are successful.

I met last week with members of Peak of the Market, which is a very successful voluntary board, who market their potatoes and other vegetables.

That is the example we need to follow in this debate as well as with respect to the issue of marketing freedom. We need to give individual farmers the ability to market their grain. At the same time, we need to see a voluntary Wheat Board with a new attitude, maybe some new blood, maybe new ideas, and maybe a board of directors who do not want the Wheat Board destroyed, but truly want to see it successful for those farmers who choose to use it.

I urge all members to support the bill.

• (1525)

[Translation]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I have a question for my colleague. I found it funny that, in the last three minutes of her speech, she talked about farmers having the right to choose what to do with their grain, even though this government is not even allowing them to decide what to do with the Canadian Wheat Board. So, that is the first question. Do farmers not have the right to decide whether to keep or abolish this board? The government made that decision without consulting them.

Does she plan to hold a referendum to really know, once and for all, what farmers want to do with the board and with their grain?

[English]

**Ms. Candice Hooppner:** Mr. Speaker, I would be very happy to take the member to my riding and have him visit some farms where individuals are growing not just wheat or durum, but all kinds of other crops that they are marketing freely. As I mentioned, Peak of the Market is a voluntary vegetable marketing board. The beauty of this bill is that the Canadian Wheat Board will still be in existence but it will be a voluntary board. Individuals can absolutely choose to be part of that board and to market their wheat through the Canadian Wheat Board, but those who choose not to can go another way.

The beauty of our country is the freedoms that we all share and we take for granted. I am not sure if the hon. member represents farmers but he should try to understand the restraints and the ball and chain that has been put on western Canadian wheat farmers because of this mandatory Wheat Board and its monopoly.

We have seen farmers go to jail because of this. We have seen farmers abandon the whole wheat industry. We have seen many value added industries go to the U.S. or not be here in Canada. This is a good bill because it is a balance.

We do not want to destroy the Wheat Board. We want to see the Wheat Board be voluntary and viable but we want individual farmers to have the rights that they deserve as Canadians.

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, I do not agree at all with my colleague's comments, and she is well aware of that.

I have a very genuine and sincere question to ask. I am not looking for pre-fab lines that have been prepared. Where does the member stand with respect to supply management? She keeps talking about freedom for farmers. Surely that must include freedom for dairy farmers, egg farmers and poultry farmers. Could she tell us where she stands on supply management?

• (1530)

**Ms. Candice Hooppner:** Mr. Speaker, I thank my colleague for that question because I am also very proud to represent dairy farmers in my riding. I am not sure if my hon. colleague represents dairy farmers. I do represent dairy farmers, as well as grain and livestock farmers. My dairy farmers are very happy with the way supply management is working. It is a successful program that our government supports.

The member opposite needs to be honest about something. As I said to the Canadian Wheat Board members three years ago, we

### *Government Orders*

cannot stop progress. When young, innovative farmers are saying that they want to be set free from a monopoly and a Wheat Board that they do not want to be a part of, it is our responsibility to lead the way. Many times, the people we represent are far ahead of us on a lot of these issues. We just need to open up our eyes and lead the way on issues like this.

**Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC):** Mr. Speaker, I would like the member to expand on what this means for value added on the Prairies. For us in Saskatchewan, Regina and the area, will benefit very much from a brand new processing plant that has investors who will be making major investments. I would like the member to expand on value added.

**Ms. Candice Hooppner:** Mr. Speaker, across Manitoba, Saskatchewan and Alberta, across western Canada, farmers are excited and getting ready for this change because there are so many new innovative ways that they can add value. We will be seeing new plants springing up across our provinces. We will see jobs created and more value added for our agricultural industry.

It is time to get on board. The opposition somehow seems to think that when there is a free market it will mean cheaper grain. That has to be the most irresponsible logic I have ever heard. We live in a country where we have commodities, where we sell our products, then add value to it and we sell the product here in Canada. It is good business and our farmers are some of the best business people in the country.

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, I will be splitting my time with the member for Marc-Aurèle-Fortin.

It is with a great deal of sadness that I rise to speak to Bill C-18 today. Ever since I was elected in 2006, we on this side of the House have done all in our power to prevent this reckless dismantling of farmer control by the Conservatives.

This past weekend, I had the privilege of attending the National Farmers Union convention in London, Ontario. There, I saw many farmers, both young and old, who believe that the government is on a disaster course. In his speech to the delegates, the chairman of the CWB, Allen Oberg, raised a number of interesting issues, such as with the firing of elected directors, the government effectively takes control of this farmer controlled institution. This is obviously a blatant example of the further erosion of farmer influence on agriculture in our country. According to Mr. Oberg, the factors driving the Conservative agenda are, in order of their importance: ideology, industry, U.S. and European farmers, and lastly, the interests of Canadian farmers.



### Government Orders

Clearly, the interests of the big corporations and farmers are not the same. The main objective of these companies is to increase profits by increasing the margin made from individual farmers. It is, therefore, difficult to see why this small group of farmers against the single desk does not understand it. They believe that somehow they will be able to compete and obtain a premium price from the very companies that wish to maximize profit.

We must not forget that all profits generated today by the CWB, some \$530 million to \$655 million annually, go back to farmers. The value of the Canadian Wheat Board mechanism for direct farmer influence on the marketing agency cannot be overstated. The small and medium sized wheat and barley farmers have an agency that provides a level of service that neither single nor even a small co-operative of even the largest wheat and barley farmers in western Canada could emulate.

The CWB has both the trust of the buyer and the seller. It ensures that the product is delivered with consistent quality, on time and to the scale required, while it connects with markets to negotiate the best price and to guarantee farmer payment.

With the loss of the single desk, this capacity will be gone. No longer will the CWB be able to put farmers first against the railway monopolies, provide a strategic advantage to ship from Churchill, protect against WTO harassment and maintain producer cars, fight against GM wheat or maintain a quality reputation in the world.

A very disturbing article appeared in the *Leader Post* on November 26. It mentioned that, under direct orders from the minister, the CWB's contingency fund was raised from \$60 million to \$200 million. The author of the article, Bruce Johnstone, said that this did not "have anything to do with putting more money in farmers' pockets". He went on to say:

In fact, farmers are going to help bankroll the Tories' new voluntary wheat board whether they want to or not.

[The]...government wants to use the contingency fund to cover the costs of operating the new wheat pool company and wind up the old farmer-directed board, including severance payments for CWB officials.

These wind-up costs are estimated to be in the hundreds of millions of dollars, including liability costs of breaking or renegotiating contracts, obligations, pensions, severance payments and other asset purchases. Allen Oberg estimates this to be between \$200 million and \$400 million. In other words, money will be taken from farmers to advance the government's agenda so it can ram this through.

This does not make any sense and, I would submit, it is morally wrong. Shame on the Prime Minister and shame on his corporate stooges.

We need to look at the cost factor of this massive, tragic transformation. Most analysts predict that grain prices will fall after the elimination of the single desk. Another likely outcome is industry consolidation as large producers squeeze out smaller producers. Large grain companies, such as Viterra, Cargill and Bunge, will have a huge new supply of sellers competing to unload their products.

In Australia, with the loss of the single desk, the market share of the Australian wheat board collapsed to 23% of Australian exports, as its reputation for quality is being lost.

• (1535)

The CWB grains account for 95% of shipments through the Port of Churchill. This does not cost the government any money at all but the government is now proposing to provide \$5 million of taxpayer money per year for five years to support the shipping of grain.

According to PricewaterhouseCoopers, the CWB contributes a gross output of \$94.6 million to the city of Winnipeg. The employment spinoff from the CWB is 2,000 jobs, with a total labour income impact on the city of more than \$66 million and, at the provincial level, \$140 million.

What is tragic is that there has not been an economic analysis by the Conservatives of this legislation. Based on analysis of the situation on the open market, it can be expected that there will be a reduction of between 16% to 23% on return to farmers and losses in the millions related to payment defaults and arbitrary reductions by grain companies.

Today, the CWB earn farmers between \$500 million and \$655 million every year. No one will be able to influence any of the big five grain companies that will take over. There will be no pooling of premiums. These will go directly to the company, which does not guarantee payment to farmers for all grains delivered.

In the past, the CWB has also assisted farmers in legal challenges, such as the lawsuit against CP Rail. There is no credible evidence that any single farmer on the prairies has the resources to do any of this. Based on historical precedence, there will be losses in the millions of dollars per year to farmers on demurrage charges, as well as freight rate overcharges. There is also credible evidence that the farmer-loaded producer car option will end. This will result in a direct loss to the farmer of between \$1,000 and \$1,500 per year.

This is a black day in the history of our country. Whether we are dealing with the issue of crime in this country or the collective interests of farmers, we have a Conservative government, elected with only 27% of the vote of eligible voters, that is determined to transform this country based on an ideology and not on sound analysis or research.

Farmers in western Canada have spent many years building an organization that provides them clout in dealing with their trading partners and transnational corporations at no cost to the taxpayers. In their wisdom, through the election of their directors in the recent plebiscite, they have chosen to retain a strong, collective, united front through a single desk.

*Government Orders*

What we are seeing here is a battle of ideologies. The co-operative position of strength versus this rugged, every person for himself individualism. Some will survive but many will not. The tragedy is that this ideological agenda will further erode the family farm and the quality of our western Canadian rural life. Unfortunately, there will be no turning back once farmers' rights and powers are taken away.

In closing, we could say that history will be the judge as we see the dismantling, and it is a dismantling. The evidence and the research that I have read and we have seen on this side of the House is that a single desk entity will not be able to survive in today's ruthless market when we have the United States, through the WTO, unsuccessfully challenging the Wheat Board 13 times, but this organization has been able to stand up on behalf of farmers.

We will see in a few years what will happen. Those of us on this side believe that this is not a happy day and it is not as exciting as many on the other side think that it will be.

● (1540)

**Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC):** Mr. Speaker, the member talked about the shipping through Churchill. The Wheat Board bought some ships, on which the farmers had no say, and those ships do not go to Churchill. They use the lake head. The farmers paid for that.

He talked about severance packages. That is part of the reason that perhaps the costs will be higher for this voluntary wheat board.

However, there were times that the Wheat Board made some decisions that did not reflect the farmers. I can think of a Christmas three or four years ago when the Wheat Board gave those who were working in Winnipeg stress leave. It gave \$500 per worker in Winnipeg for stress leave but nobody paid the farmers for the stress they had in ensuring their grain got to market.

When the member talks about unfairness, the farmers did not have a voice in some of the decisions that were made, for example, the buying of the ships. I would like the member to expand on that.

**Mr. Alex Atamanenko:** Mr. Speaker, as in other farmer control organizations, a board of directors is elected. If I am not mistaken, the member mentioned the stress leave that was granted. After that, farmers elected most of the members who support the single desk. Therefore, the democratic right was exercised within the farming community to elect directors who represented their views in a free and democratic process.

Why is it not possible then for the government to have this democratic process take place so that farmers can decide for themselves whether they want to go down this route or whether they would like to continue to retain a single desk?

The problem is that there has not been a democratic vote. During the election the minister stated that farmers would have a voice, but this has not happened.

There is something quite wrong here: a farmer-based organization making decisions through its elected board of directors versus a government decision that is being rammed through in legislation.

● (1545)

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, I had the pleasure of working with the member while we fought against the government over the last four or five years to prevent it from destroying the Canadian Wheat Board, which seems to be what it wants.

The Minister of State for Western Diversification got up a moment ago and talked about stress leave bonuses for the people who worked at the Canadian Wheat Board. Of course, they were stressed because they were always under attack. The government is using its position to provide misinformation consistently on the Wheat Board and its operations.

If the member wants to talk about bonuses, look at the bonuses for the senior bureaucracy in the Government of Canada. What the Wheat Board paid out would not have a patch on that.

We have heard in the House member after member on the government side get up and talk about value-added processing. The facts are, and I think the member knows it, that Canada processes three times more malting barley per capita than the United States. Wheat milling capacity in western Canada has grown by 11.8% in the last decade compared to 9% in the northern states of the United States. There were four new western Canadian mills built during that period while the number of mills in the northern United States has remained the same.

On the value added by the government, what is really going to happen here is that farmers are going to have to sell their grain more cheaply and take greater losses in their operations so that it adds value to somebody else's end profits. Is that not what is really happening? Is the government supporting the—

**The Acting Speaker (Mr. Barry Devolin):** The hon. member for British Columbia Southern Interior.

**Mr. Alex Atamanenko:** Mr. Speaker, I do not think there is anybody in the House who understands farmers more than my colleague does. He has been working on behalf of farmers for many years, whether through the National Farmers Union or right here in the House.

There is misinformation. There is a spin that somehow there is not enough value added because of the single desk. The member just stated that there is value added, there are new mills and capacity is increasing, whereas across the border this is not happening.

The member is entirely correct. Once this is thrown open, obviously people will not open up new plants unless they can get a cheaper price. The only way they could get a cheaper price is if farmers get less. It is a simple matter of economics.



*Government Orders*

[Translation]

**Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP):** Mr. Speaker, we want to talk some more about Bill C-18 and about Canadian institutions; the Canadian Wheat Board is an important one. In Bill C-18, we can clearly see the government's desire to destroy another Canadian institution to the advantage of private corporations, which are very often foreign-owned.

Let us speak clearly about the dangers to all the institutions affected by Bill C-18, because, in destroying the Canadian Wheat Board, the Conservatives are also attacking a whole range of Canadian institutions.

The first of those institutions is democracy, this country's most important value. It is the right of farmers themselves to manage the board that markets the fruits of their labour. It is essential. On this issue, the government offers a very special interpretation of the concept of freedom for farmers, which also involves the existence of the right to vote on the choice of who they want as partners to sell their wheat. The right to a referendum is their most sacred right. But, in fact, they are being denied such a referendum. It was promised to them during the election, but once the election was over, it was obvious that the Conservative government wanted so much to destroy a Canadian institution that it forgot to honour its big promise. The Conservatives wanted people to vote for them on the basis that they would protect, respect and consult farmers. But once they were in power, the only people consulted were foreign corporations. That is typical of the Conservative government—a Conservative government, not a Canadian government.

Second, the Canadian Wheat Board is also a world headquarters, located here in Canada. Decisions that matter to the world are made here in Canada. The Wheat Board has developed its staff and expertise in Canada. The Conservatives would replace it with offices that receive faxes, emails and orders from foreign corporations located elsewhere. We are going to lose a national resource. For the world, it has been an institution whose words were listened to, one that could intervene in global markets and affect prices and market trends around the world. It is being replaced by nothing at all. That is a major impact. The Canadian Wheat Board generated 2,000 jobs in the city of Winnipeg. But the Conservative government has so little respect that it has not even considered what would become of this world headquarters.

The Canadian Wheat Board is also a provider of transportation. It owns railcars. It even owns ships. It is being criticized for owning ships and other means of transport by those who have never considered that having railcars and ships has enabled Canada to reduce transportation costs and therefore get a better price for its wheat. No, they have not done that analysis. They do not want to. They simply say that the Canadian Wheat Board has ships and should not have them. Personally, I do not agree, because I think it should own ships. If the board decides that having ships gives Canadian farmers an economic advantage, then why give up that advantage? To please the competition? To please the Conservative government's limited vision? I say no.

And if other Canadian companies were to follow this example, we could finally have a Canadian merchant marine. But that would be something truly Canadian, and we know that this government is

attacking all the important symbols of Canada, except the flag and the Queen's portrait. It is important and creates many jobs but, once again, they are not worried about these issues.

The Port of Churchill was developed to provide access to the north, to give direct access to all world markets through a deep sea port, and to be able to take advantage of the opening of the Northwest Passage through the Arctic. But again, Churchill is Canadian and that is less attractive than revitalizing the railroads in the United States, because they will use this economic sleight of hand to increase their share of transportation.

• (1550)

It is profitable for them, but it may not be for Canada, and certainly not for Churchill. We have invested in Churchill, a Canadian city and port inhabited by Canadians who deserve to be listened to and supported by a government that, unfortunately, is anything but Canadian. That is a major problem.

The issue is not just the Port of Churchill, but also the Port of Vancouver, the seaway and the Port of Thunder Bay—all these institutions and all this infrastructure. The Canadian workers who work in these places are not being listened to or considered. There has not even been a study on the impact this will have on them. All we have heard are slogans and unflattering remarks. All we have seen is the government's demonstration that it does not know what it is doing and that it wants to destroy Canada in a fit of hysterics.

In conclusion, the serious problem with this bill is that its very essence is anti-Canadian. It destroys an expertise and will make our country's institutions obsolete. Our country is vast, it is big and it depends on a number of institutions that helped build it. The Canadian Wheat Board plays an essential role, since it uses Canada's railways and railway cars—Canada's means of transportation. The Canadian Wheat Board helped build this country. It is not the only one, but it is important, just like the CBC, which the government is also trying to destroy. It wants to support Mr. Péladeau. The government is going after another Canadian institution. The government wants to destroy it and replace it with something else. Those things are never Canadian and never defend the interests of Canadians. That is a major problem with this government.

The government systematically shows up with nothing but lies, nothing but fabrications. When we ask the Conservatives for an assessment of how their suggested alternative will affect the economy, they never give anything. It would be nice to have economic studies on the impact this would have on the Port of Churchill, the St. Lawrence Seaway or the Port of Vancouver, but the government never has that. All it has are comments, such as the fact that it gave out \$500 for stress leave. What does that change?

With regard to wheat trading by American companies, do you know what premiums, commissions, perks or gifts are given? Do you really believe that these people will trade Canadian wheat because they like us and want to help out Canadians? They are there to make money. The more they can make off us, the happier they will be and the less they will hesitate, especially with a government that is encouraging them, a government that is telling them to take everything and give nothing in return.

That is the problem with this government. It does not defend the interests of Canadians and time and again is nowhere in sight when it comes time to defend Canada. There is nothing Canadian about this Conservative government. When referring to the current Conservative government we cannot call it the Canadian government. The Canadian Wheat Board is a fine example of this.

We could also discuss the impact this will have on co-operatives. It is the same problem, not just with co-operatives, but also with supply markets. The Conservatives consider them to be constraints on free and open trade.

I will conclude by saying that this government, with its anti-Canadian practices and its way of destroying all Canadian institutions, has proven that it has no heart.

• (1555)

[English]

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, I am very troubled by the hon. member's comments. No criticism against the individual, but I wish he would have actually researched what he was talking about because there were so many misconceptions in what he was saying.

The member talked about foreign companies. My question when I get to the end of this will be, where is the headquarters of Viterra, one of the largest grain companies in the world? Where is the headquarters of Richardson International?

I would like to leave it with those two questions, but the hon. member also talked about ships. This government actually said to the Canadian Wheat Board that it is not within the Wheat Board's mandate to own ships, trains or railroads. It has made such a mess that we want to make sure it keeps out of the transportation industry. The member suggested that the Canadian Wheat Board manage producer cars. I managed my own producer cars. I did not need the Canadian Wheat Board to do that.

Is Richardson International headquartered in Calgary or Winnipeg? Is Viterra headquartered in Regina or Calgary? They are Canadian companies. I would ask the member to please get that accurate.

[Translation]

**Mr. Alain Giguère:** Mr. Speaker, I am pleased to reply to the Conservative member who is obviously deliberately turning a blind eye. The Canadian Wheat Board is not simply a place where faxes are received. It is where decisions are made. And those decisions are made by members elected by farmers. That is what bothers the Conservatives: Canadians making decisions for Canadians. That is unacceptable to them, which is why they refuse to hold a referendum for farmers. They are afraid of what the farmers might decide.

[English]

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, the minister talked about how big Viterra was.

I will put it on the record right now. I remember when the Saskatchewan Wheat Pool thought it was big too, and where is it today? It is gone. The difference will be that Viterra will find itself under the same kind of pressure, because although pools worked for

the farm community and profits went back to the farm, with Viterra the profits go back to the shareholders.

The fact is that it does not matter whether it is Viterra, Cargill or Archer Daniels Midland. The Canadian Wheat Board ensured that the maximum return went back to primary producers; Viterra, Cargill and Archer Daniels Midland will ensure that they gain at farmers' expense in order to provide returns to shareholders.

The United States has challenged the Canadian Wheat Board 14 times, and Canada won every time. Who does the member think the minister is working for? Is he working for the American grain sector? It seems to be only the minister who wants to get rid of the Canadian Wheat Board. Challenges from the U.S. could not get rid of it.

• (1600)

[Translation]

**Mr. Alain Giguère:** Mr. Speaker, who is the minister working for? Clearly he is not working for Canadians. He is working for his own personal future. If he respects farmers so much then why will he not let them have a referendum? This is so typical. He says that he represents and defends farmers, but when they ask him to poll their opinion, he is not there for them. He is not the Minister of Agriculture, nor the minister of farmers. He is his own farmer and he is negotiating his future job, nothing more. He is not a Canadian member of Parliament. He is a man who defends anti-Canadian interests.

[English]

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, I am very pleased to stand for the first time to speak at third reading on this piece of legislation. However, it is very frustrating to listen to some of the statements. I am not too sure how to phrase this, but I find it very frustrating because we cannot explain why people are making statements that they know are not factual. That is about as far as I can go in parliamentary language.

The Canadian Wheat Board is not like the CBC and is not likened to a whole lot of the arguments, so let us stay on the issue. This piece of legislation, the marketing freedom for grain farmers act, would provide the same freedom to western farmers that farmers in the rest of Canada have. It is nothing more complicated than that. It is simply an opportunity for western farmers to be able to choose, in the same way that an automobile manufacturer can choose where it markets its cars. Farmers growing peas in Saskatchewan can choose where they market their peas and farmers who produce apples in the Annapolis Valley in Nova Scotia can choose where they market their apples. It is no more complex than that. It is something that I personally have been looking forward to for over 35 years. I cannot explain how excited I am to see this happen, and happen here today.

Mr. Speaker, I seek your approval to share my time with the member for Regina—Lumsden—Lake Centre. I would like to keep going for 20 minutes, but that hon. member wishes to speak as well, so I ask you to allow that, Mr. Speaker.



*Government Orders*

The new Canadian wheat board would be voluntary. The present-day directors had a great opportunity to actually move forward with an option that they know full well most farmers wanted to see, because those same farmers actually have a voluntary method of selling all of their other products. It is nothing new to those farmers. It is simply a choice that is necessary for us, as farmers, to be able to hedge our risks.

We carry all of the risk on a crop that is put in the ground in the spring. We carry every penny of risk on that. Whether it is weather risk, market risk, whatever it may be, we carry that risk, but we have no way of actually guaranteeing that risk. I can for my other crops, for peas or for lentils. I can hedge a price on those crops and lock in a price in the future. It is very simple for those crops. I would encourage all hon. members to recognize that other farmers have this right and that farmers west of the Manitoba-Ontario border do not.

We are quite looking forward to the opportunities in value-added operations. We have heard many times in speeches in this House about the new pasta plant going up just outside Regina.

I would refer anyone who has travelled south on I-15 down into the United States from Alberta to the massive malt plant that should have been in Alberta, and would have been, had the Canadian Wheat Board had not said it would refuse to sell barley to that plant if it were to be built in Alberta. I have no idea why. The fact is that there is a large malt plant; the barley now goes down Highway 2, right past my farm and down to Montana, and we do not see any of the benefits or the jobs. The benefits are going to the Americans employed in that facility.

Let us look at canola. I have had farmers call my office and ask, "Why are you trying to get rid of the monopoly Canadian Wheat Board?" My answer starts out with one word: canola.

● (1605)

Farmers in this country used to grow oilseed rape or rapeseed. When it was taken out of the Canadian Wheat Board, the plant scientists took it, expanded the opportunities, increased the trade potential of it and increased the oil content of it. It was the Cinderella crop of Canada. The acreage has grown exponentially.

Canada is known for its canola. Unfortunately, it is not known for its wheat. Because we have kept the Canadian Wheat Board in place for so long, it has stifled any potential and trait-specific qualities that could have come forward to expand our acreage on wheat. The wheat acreages have diminished. However, going forward I look forward to a vibrant industry around wheat and durum in this country.

I will refer also to feed barley. Feed barley used to be under the control of the Canadian Wheat Board. When it was removed, we actually developed a feeding industry in Alberta, partially because we got rid of the Crow subsidy but also because we had an opportunity to value-add to barley. It is called cattle. That is where Alberta beef comes from. Everyone in the House knows how wonderful our Alberta beef is, even the members from Saskatchewan.

We watched canola and corn yields increase. We have watched acreages go up. The last time I spoke in the House, I spoke to the fact that Canada will be called on to feed a growing population. We need

to take advantage of these new crops to be allowed to contribute to feeding the rest of the world. It is a great opportunity.

I would like to talk about many things before I run out of time, but one thing is near and dear to my heart. I want to pay tribute to some of the individuals who have virtually worked all their lives to see this day. Some of them are not with us.

I think of Clare Taylor, who farmed just outside Regina. He was an incredible gentleman. One could not find a finer gentleman. He had a white shock of hair that most men would be jealous of when they were 18. He had it the day he died. However, he never had the freedom to market his own wheat. One day he said to me, "I hope you live long enough and I hope I live long enough to see the freedom to market our wheat." Unfortunately, he did not make it.

Another gentleman is Art Mainil. Art's nephew, Dale, is with us in Ottawa today cheering us on—silently, of course, in the gallery, but cheering us on. Art Mainil fought hard and long to have the freedom to market his wheat where he chose.

Another gentleman is Wally Nelson, one of the founding board members of the Western Canadian Wheat Growers Association, an incredibly dedicated man. Along with Clare Taylor, they were two gentlemen who finally made sure that farmers actually got paid for the protein content in their wheat, because the Canadian Wheat Board never recognized that for years and years. It was a tough battle just to get that.

Another gentleman is Jim Chatenay, one of the first elected members to the Canadian Wheat Board. He was a very articulate gentleman who worked long and hard to try to gain us freedom. Unfortunately, he sat on that board for enough years that it retired him, and he did not quite accomplish it.

Hubert Esquirol, from Meota, Saskatchewan, is another good friend of mine who worked with the wheat growers trying to get marketing freedom.

I will also mention Glen Goertzen, from Alberta; Ike Lanier, from Lethbridge; Bill Cooper, who I believe will be here to celebrate with us this evening; and Paul Orsak from Manitoba.

Unfortunately, Art Walde is no longer with us either. He fought the battle. He did not lose it; we will win it for him today, and his son Robyn will be with us to celebrate tonight.

There are also Tim Harvie and Brian Kriz, and another person we should recognize is a former member of the House, the Honourable Charlie Mayer. He managed to get oats outside the Canadian Wheat Board. We will never forget him for doing that.

Mr. Speaker, I see that I am running out of time. I was just about to get to some of the points that I would like to reflect on, points on how the board actually lost me money over the years, but I will share that with you sometime over a glass of wine.

● (1610)

[Translation]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I have a question for the Minister of State for Finance.

Earlier, the Parliamentary Secretary to the Minister of Agriculture was asked whether there were any studies to back their initiatives and their bill. The same question was asked about other bills, and the Conservatives have failed to produce any studies to back their plans a number of times now. Often they tell us that their constituents said this or that, or that they met someone who told them this or that, so they created a bill and are moving ahead with it.

I would like to know whether the Minister of State for Finance has any studies to back this initiative and whether there is anything to truly prove that this will be beneficial to western Canadian farmers.

[English]

**Hon. Ted Menzies:** Mr. Speaker, a study went on for 35 years of my life. It was called a “reality check”. I would hate to add up how much money I lost. Let me reflect just one experience, and this is a good case study.

One year, on my farm we harvested some of the best wheat that Canada could produce. I could have delivered it to Shelby, Montana for \$1.35 a bushel more than I would get but I could not because that was illegal. I would have ended up in jail. I could have delivered it right off the combine and got \$1.35 a bushel more. I probably had somewhere in the neighbourhood of 80,000 bushels that year, so do the math.

I ended up selling it to the Canadian Wheat Board. It took 18 months to finally get the cheque. If I had delivered it in Shelby, I would have had the cheque in my hand as I drove out of the elevator. I lost \$1.35 a bushel and I waited 18 months to get my money. What more case study do we need than that?

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Mr. Speaker, my hon. colleague points out that there are some farmers who want to do away with the single desk Canadian Wheat Board. We know that. There are also farmers who would like to keep it. There was a survey. Unfortunately, we do not know what the real numbers are. They seem to be in majority with respect to wheat and a slight majority with respect to barley, but we never did have that plebiscite, so we do not know for sure.

One thing for sure is the government has never, at any time, come across with constructive and reassuring language to those farmers out west who believe that it is important to keep the Canadian Wheat Board single desk. Basically, those farmers have been ridiculed for not wanting to change the way the government wants them to change.

Does my hon. colleague have any reassuring words to give to those farmers who are genuinely concerned about the fact that the Canadian Wheat Board will no longer be a single desk? They believe in that and so far the government has not tried to send any reassuring and comforting words that everything is going to be okay.

• (1615)

**Hon. Ted Menzies:** Mr. Speaker, that is not accurate. The Minister of Agriculture and Agri-Food approached the Canadian Wheat Board and ask if it would please make the plans to put in place a voluntary wheat board.

When oats was taken out, there was no such thing but guess what happened with oats. The acreage grew, the volumes grew and it is a wonderful market. Guess what happened when canola was taken out.

### *Government Orders*

The acreage grew, the productivity grew and it is a world-class product now.

The same can happen with wheat. I could not name one farmer who has not grown something other than wheat. Therefore, farmers have the ability and understand how to market their grain, but they have been bound under this monopoly so they could not sell their wheat or barley. All farmers out there have the opportunity to market their other products and they have actually understood how to do that. Therefore, it is nothing new. If the present board had actually done what it was asked and what its fiduciary responsibility was to do, we would have a new board ready to set up an option and it would have worked wonderfully for them, just as for those who want their freedom.

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, let me start off by saying hallelujah, marketing freedom is merely hours away.

There have been producers in the country, and many of them are going to be with us tonight, who have been waiting for decades upon decades to achieve the fundamental right of freedom that every other Canadian takes for granted in our great country. However, after years of inactivity and opposition from parties on the left, we have finally come to the point that in less than three hours from now Bill C-18 will pass third reading in the House and will be sent to the Senate to achieve the marketing freedom that so many producers in western Canada have fought for all of their lives.

This will be an historic vote. This will be a celebration of unparalleled heights because we have farmers, and my colleague, the hon. Minister of State for Finance has named many of them, who have fought for years to achieve the same basic rights of freedom that other farmers in other parts of the country and in other parts of the world have taken for granted for years and years.

Unfortunately, the debate on Bill C-18, the debate on marketing freedom, has been jaundiced because there have been so many misrepresentations about what Bill C-18 will do. Instead of trying to get into some technical arguments, I will put the Bill C-18 question the easiest way that any Canadian can understand a bill like this. That is the test of common sense.

Without questions, western Canadian producers are among some of the smartest business people in Canada. If the Canadian Wheat Board were providing all the benefits to farmers that the opposition claims it does, there would be no need for this debate. There would be no need for Bill C-18 because there would not be a farmer in Canada who would want to change the Canadian Wheat Board, if the Wheat Board were doing what all of our opponents have say it does, and that is to provide unparalleled benefits to the farmers.

Unfortunately, western Canadian farmers know better. They know the Canadian Wheat Board does not provide them the benefits that my opponents purport it to do. Quite frankly, it costs farmers money. My colleague, the Minister of State for Finance, gave a couple of examples. Let me also give one.



*Government Orders*

A constituent of mine, who will be here tonight, about three or four years ago wanted to sell his own barley. At that time, members who have been around the House for awhile will remember, we attempted in 2006 to remove barley from the Canadian Wheat Board. It looked for a time that we would be able to achieve that. My constituent had a price locked in to sell his barley on the open market, but the opposition reared its protectionist head, refused that freedom to market his own barley and cost my constituent \$250,000.

I have heard the member for Malpeque and the member for Winnipeg Centre say on many occasions that the Wheat Board is the best thing going for western Canadian farmers, that if the Wheat Board were somehow changed or altered to remove the single desk provisions, the sky would fall and farmers would lose out on great opportunities. The constituent who lost \$250,000 will be here tonight. I would invite the member for Malpeque and the member for Winnipeg Centre to engage that constituent of mine in conversation and please, I would love to hear that conversation. I would love to hear how the member for Malpeque would say to my constituent that this was a good thing that happened, that losing a quarter of a million dollars was a good thing because we saved the Canadian Wheat Board. It makes no sense whatsoever and farmers know this intuitively.

● (1620)

We also have evidence, not just anecdotal evidence such as the story that I shared with members here, but we have empirical evidence. We have seen what happens when certain grains are removed from the Canadian Wheat Board.

Over 20 years ago, Charlie Mayer was successful in getting oats removed from the Canadian Wheat Board. What happened? Productivity went up and lo and behold, prices went up. Was there any great hue and cry from oat producers to have oats returned to the Canadian Wheat Board? Absolutely none, because the proof was in the pudding. Their productivity, acreage and prices went up. As a result of their oats not being controlled by the board, they were making more money than they did when they were controlled. There are similar stories with respect to canola, pulses and oilseeds. The benefit to farmers by giving them the ability to sell their own product is immense.

Some may argue, and I will accept their argument, that there are producers out there who want to remain selling through the board. They will have that opportunity. We are not getting rid of the single desk or the Wheat Board completely. We are merely making a voluntary marketing agency.

I hear time and time again misinformation coming from my colleagues opposite. They say that we are getting rid of the Wheat Board. We are not. We are simply turning it into a voluntary mechanism to allow producers to make their own choices. Some may want to continue selling their wheat and barley through the Canadian Wheat Board. They will have the ability to do so. We are simply giving producers the option and allowing them the freedom to make their own choices.

Since when is freedom a dirty word? According to the opposition it apparently is. According to the opposition, giving farmers the freedom to market their own product is something we should not even be discussing. It makes no sense. It certainly does not pass the

test of common sense because freedom is inalienable. It is a right of all Canadians.

Do we restrict other manufacturers or other businesses in Canada from selling their product to whom they wish? Outside of some legalities and some sort of health concerns, we do not.

My friend the heckler from Malpeque does not want to hear the truth. He merely wants to settle with the same ideological arguments. He comes from Prince Edward Island. I point out to him, as I have many times in the past, that I have yet to see the potato farmers of P.E.I. clamouring for a potato marketing agency. They never will because they now have the fundamental right as other producers in Canada—

● (1625)

**Hon. Wayne Easter:** Mr. Speaker, I rise on a point of order. The member should get his information right. Potato producers did want a potato marketing commission in Prince Edward Island. They did get it. I will admit that a government took it away without a vote, just like what is being done here. However, for the member to stand and tell me that producers in Prince Edward Island did not want single desk selling at one point in time, they definitely did.

**Mr. Tom Lukiwski:** Mr. Speaker, the member for Malpeque is a former member of the National Farmers Union so we understand his motivation behind wanting to keep the Canadian Wheat Board untouched.

The reality is that freedom is a fundamental right for all Canadians. Western Canadian producers should not be any different than producers in other parts of the world.

This bill would, after decades of oppression, finally lift the yolk off the necks of western Canadian farm producers and allow them to make their own marketing choices. It would allow them to make their own business choices. It would allow them finally to experience the same freedoms, the fundamental rights, that other producers in other parts of the world have experienced for the last 70 years.

Tonight will be historic, and we are less than four hours away.

**The Acting Speaker (Mr. Barry Devolin):** It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Edmonton—Strathcona, Aboriginal Affairs; the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, Asbestos Industry.

Many members today have made reference to people who are either here or will be here. I would caution all members that in this chamber members do not make reference to other members, whether they are or are not in the chamber. Similarly, members do not make reference to who is or is not in the gallery. Members in the gallery are also reminded that they are here as observers and that we will maintain order in this place in order to let the institution function.

Questions and comments, the hon. member for New Westminster—Coquitlam.

*Government Orders*

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Mr. Speaker, the parliamentary secretary expressed a lot of passion for his points and the material he presented. Of course, there is a lot of passion on this side of the House as well. There seems to be a lot that members want to say on this issue.

Why is it that the government has forced closure? Why is it that we cannot have a good healthy debate, a good exchange of ideas and information in the House when we are dealing with such an important matter? It is an issue that the member has called historic and an issue that we on this side of the House feel extremely passionate about. Allowing a good healthy exchange and debate would be in the best interest of the Canadian Wheat Board. Why is it that the government is forcing closure on this? Could the hon. member comment on that?

**Mr. Tom Lukiwski:** Mr. Speaker, this debate has been going on for well over 20 years in this place. Western Canadian farmers know what our party stands for when it comes to giving freedom to western Canadian producers. This debate is not recent. The bill, although introduced recently, is not a new issue. This is an issue that has been at the forefront of western Canadian producers for generations. For my colleague to suggest that for some reason we are stifling debate, it is absolutely untrue. This debate has gone on long enough.

Our intentions have always been clear. We are acting on those intentions. We will get the job done and we will get it done tonight.

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, fragmented, the board loses its clout with the railways, grain companies and its clout in being price setters and not price takers.

Why does the member opposite, who has just made his remarks, ignore the comments of *The Economist* that said quite clearly that small farms will close and that small farming communities will be negatively affected, changing the face of western rural culture?

Why does he ignore the comments of *The Wall Street Journal* that said there will be many profits in Cargill and Viterra? At whose expense? At the expense of farmers because, suddenly, Cargill and Viterra will become the middle people. That does not exist right now because they have the Canadian Wheat Board as their sales and marketing agent.

Why does the member resist the comments of the Alliance Grain Traders? It stated that it will now be able to pay less for the grain. That is why it is setting up a pasta plant out west. Why does the member ignore those comments and, most important, why does he not allow farmers to vote under section 47.1 of the act if he is so darned convinced that this what farmers want?

• (1630)

**Mr. Tom Lukiwski:** Mr. Speaker, why does the member for Guelph ignore the fact that farmers are already marketing their own products outside of wheat and barley? Can the member for Guelph stand in his place and tell me the difference between marketing canola, pulses or other oilseeds and wheat and barley?

There is no difference. The ability that farmers have to market their own grain now has improved exponentially over the last 20 years. This is an age of almost instantaneous communication. There

is absolutely no difference in a producer's ability to market a canola crop, a cash crop, or to market wheat or barley.

The member talks about protecting farmers. Is it protecting farmers when farmers, like my colleague, the Minister of State for Finance, or my constituents lose hundreds of thousands of dollars because of government restrictions and its refusal to allow farmers to market their own product?

If he truly wants to stand up for the rights of farmers, he should join with us and support Bill C-18 tonight.

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP):** Mr. Speaker, I will be splitting my time with the member for St. John's South—Mount Pearl.

I am happy to rise in the House today to speak to a most important issue. I must first begin by commenting that most of my constituents are absolutely shocked by the actions of the government. They are shocked by the level of debate or, should I say, lack of debate the government has engaged in.

We are in the early stages of a majority government and yet the government is fast tracking legislation that is proving to be completely reckless. This is not the only piece of legislation that it is fast tracking, and it is shameful on its part.

As responsible parliamentarians, we must ask a very important question: What is the rush? Why does the government continue to silence the elected political body? Is it because it is ashamed of its position in this debate? Is it because it knows it is engaging in activities that will destroy small rural communities? Is this why it is stopping Canadians from being heard?

We hear them laughing on the other side and showing signs of disgust as we speak, but for the Conservatives it is only about what they want to do and hear as opposed to what Canadians have to contribute to the debate.

I believe we have been sent to Parliament to represent the will of the electorate. However, in doing so, we are also charged with the responsibility to not only champion but maintain the sanctity of the traditions of the House of Commons. Unfortunately, we have not seen this. What have we seen instead? We have seen time allocation after time allocation. We have seen that the government is uninterested in the opinions of Canadians. These actions show how little respect the Conservatives have for this political institution.

Since its inception in the 1920s, the Canadian Wheat Board has been the pillar of Canadian farm life on the Prairies. In its early days, what we now call the Wheat Board consisted of individual owners of modest sized farms pooling their wheat together. Why did they do this? They did this to get a better price for their wheat. In 1943, this process was then formalized with the creation of the single desk. The result has been the financial stability needed to allow prairie farming communities to survive. The result has been the prudent risk management needed to ensure farmers and their families can avoid catastrophe. The result has been the ability for Canadian family farms to survive in an era of big agriculture.



*Government Orders*

● (1635)

*[Translation]*

Today, the Canadian Wheat Board sells high-quality Canadian wheat, harvested by hard-working Canadian farmers, to buyers around the world.

*[English]*

In total, 70 countries and roughly 21 million tonnes of wheat and barley are marketed by the Canadian Wheat Board each year. It is the largest and most successful grain marketing company in the world. Despite its large size and formidable status as a global marketer of wheat, I am proud to say that the Wheat Board is a farmer controlled board, consisting of farmers elected by farmers.

What is to become of our Wheat Board? Unfortunately, the government wants to get rid of it. It wants to get rid of the financial stability it has given us for generations of Canadians. It wants to do away with the prudent risk management it has provided to our small rural prairie communities. On top of that, it wants to get rid of it against the express wishes of the farmers themselves.

We must not stop reminding my colleagues on the other side of the House of the Canadian Wheat Board's plebiscite back in September that told us that a strong majority of farmers want to maintain the Wheat Board. They want to maintain their ability to market wheat and barley through the single desk system. We must not stop reminding them of the 62% of respondents who voted in favour of retaining the single desk for wheat and the 51% who voted to maintain it for barley. We must not stop reminding them of the 38,261 farmers who submitted mail-in ballots in the plebiscite.

The government now has the responsibility to say directly to those 38,261 farmers who spoke out in a dignified democratic fashion that it does not care about their opinion. It should not be this way. We should not be shutting farmers out of this debate. We should not be telling them that their opinion does not matter. We should be listening to them. We should be asking them what they want us to do. This is a democracy, after all.

A responsible government would examine the truth of the matter. A responsible government would ask what will happen to our modest sized family farms, what will actually happen to the communities in which they live.

It would be only responsible for us to look at Australia. Australia recently eradicated its single desk system and the result was not pretty. We saw the price for its wheat go from \$99 per tonne over the price of American wheat to as low as \$27 per tonne below the price of American wheat. The Australian wheat market saw the destruction of its domestically-owned wheat industry. In just three years, Australia went from having 40,000 wheat farmers running their own wheat system, to being customers of Cargill, an American-owned giant in the industry. We are all familiar with the Cargills.

What a shame. What a shame that so many farmers had to lose their farms. What a shame that they lost their farms while big agriculture swoops in and purchases them when a farmer is desperate.

Why, then, is the government going down the same path? Why is it deliberately siding with big business over our family farms?

If anyone were to ask me, the matter is simple. I was sent here to listen to the demands of my constituents. I am here to listen to their concerns and to fight for their interests. I know that my constituents truly appreciate and value local food in their communities. They like to know that the family farm can exist and that they can know their local farmers who work so hard to provide food for the rest of us.

For example, I have here an email from one of my local farmers on Manitoulin Island in my riding of Algoma—Manitoulin—Kapuskasing. She says, in referring to the Canadian Wheat Board, "This is one Board that was developed to assure fair prices to small farmers. We know that dismantling this Board will be difficult for farmers to get fair prices for their grains. We do not want food to be solely in the hands of the multinational corporations. Please let there be some room for the small farmers and for local food productions to survive".

● (1640)

Local growers form the backbone of the communities in many parts of my riding. I know they would join me in fighting tooth and nail against anything trying to destroy their culture and way of life.

Perhaps what makes us different from them is that we on this side of the House stand up for our family farms. We stand up for the hard-working Canadian family. We stand up for the modest-size prairie wheat producer. We listen to their wants. We demand that their voices be heard. We do not sell them out to big businesses like the Conservatives do.

I am afraid that the Conservatives are only telling us half of the story. They are not telling the whole truth. They are not warning of the dangers that may come to prairie communities when smaller farmers lose their farms. They do not tell of the financial strain that could result from smaller producers being thrust out on their own in the global market. They do not talk of the risk associated with this change for the modest-size producer.

Perhaps the Conservatives are correct in a sense in that they are giving our farmers more freedom. However, what they are doing is freeing our farmers from the protection that the single desk provides. They are giving them freedom from financial stability, freedom from proven risk management, freedom to be bullied and bought by big agriculture. They are now freed from a guaranteed decent price on the global market.

As my time for debate is up, I will speak to the rest of my points in a few minutes.

**Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC):** Mr. Speaker, I want to make a correction to the member's point about the Wheat Board being formed by farmers helping farmers.

*Government Orders*

The Wheat Board marketing monopoly was established on October 12, 1943 when Canada was committed to providing inexpensive wheat to Britain as part of the war effort. The monopoly was established under the War Measures Act by Parliament, not by farmers for farmers. I would like her to check her facts on that.

I am sure if the Canadian Wheat Board does its work and wants to survive, it could invite her farmers to become part of the Canadian Wheat Board. No one is stopping that. All we want for our western Canadian farmers is to have the option that her farmers have. As to producing food in small communities, that is exactly what these farmers want. A pasta plant in Regina is being established for producing and processing food.

The member had best do some more homework on a couple of those points.

**Mrs. Carol Hughes:** Mr. Speaker, I appreciate the input from my colleague, but as she is well aware, the Canadian Wheat Board is not taxpayer funded and the Conservatives have no mandate to go against the wishes of prairie farmers. Again, this is about the protection of small and medium farms. On that note, considering the government's utter disregard for the results of the September plebiscite, the farmers are also free from having a government that listens to them.

My New Democrat colleagues and I believe that the government should withdraw Bill C-18. We believe that the single desk for wheat and barley is a highly successful institution that plays a vital part in prairie society and the economy. The bill is reckless. It will spell economic hardship for our prairie farmers and communities, especially during these tough economic times.

The member cannot guarantee that these farmers will not lose their farms. The Conservatives cannot guarantee that the price of farmers' grain will not go down. They cannot guarantee that big agriculture will not buy out their farms.

• (1645)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, it is very important for those who are listening to the debate that we be very clear that a good majority of prairie wheat farmers support retaining the Canadian Wheat Board. In fact, well over 20,000 prairie farmers voted to keep the Canadian Wheat Board. These individuals have seen the value of the Wheat Board for a wide variety of reasons. That has been talked about at great length.

I would ask for the member's opinion on what economists have said about the negative impact of getting rid of the single desk. In many rural communities there is a great deal of concern that it would have a negative impact. For many of those small farms that she made reference to it will have a negative impact.

Maybe she could comment briefly on the impact on the rural communities in Manitoba, Saskatchewan and Alberta as a result of this bill.

**Mrs. Carol Hughes:** Mr. Speaker, my colleague is absolutely correct. As I indicated before, the bill is reckless and would profoundly affect the lives of farmers.

My colleague talked about economists. Richard Gray, a University of Saskatchewan agricultural economist, said that large grain

companies like Viterra, Cargill and Bunge will benefit from having a huge new supply of sellers competing to unload their product.

This does nothing for the port of Churchill. If anything, the port of Churchill will not be protected by this. They already have different ports they can use to market their wares. It is the small communities that will suffer the impact of this. We only need to look at what happened in Australia.

To add insult to injury, the government is rushing this legislation through the House. It is shutting down debate in an unprecedented manner. The reason we have a process in the House is so that good, smart decisions prevail. It is a process designed to avoid rash decisions and to provide peace, order and good government for the people of Canada, which the Conservative government refuses to do.

**Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP):** Mr. Speaker, we live in uncertain financial times. The economies of individual countries of the European Union, countries like Greece, Italy, and Spain are over their heads in debt, and it is getting worse. No one knows where or when the global financial hardship will end. The economy of our largest trading partner, the United States, is still mired in debt. The U.S. has yet to get back on its feet following the 2007 recession. Worries that Europe's crisis could worsen and spread are spooking investors and consumers.

Here in Canada our economy has fared better than most, but there is an undercurrent of unease, an undercurrent of nervousness, an undercurrent of fear. How will our economy weather the impending storm? That is the outstanding question. There is no answer, not yet.

The Conservative Minister of Finance has acknowledged that Canada's economy faces obvious risks from financial troubles in the United States and in Europe. When David Cameron, the Prime Minister of Great Britain, spoke to this House in September, he said that the problems in the eurozone are now so big that they have begun to threaten the stability of the world economy.

Here we are today in these uncertain financial times and the Conservative government's answer to these uncertain financial times is to gut the federal public service, throw more people in jail, download expenses to the provincial governments, and kill the Canadian Wheat Board.

Now, I am not a prairie boy. I have never walked in fields of golden wheat. I do not know what it is like to live on flat land, land flat as far as the eye can see. I am a bay man. That is what we call it back home. I am a bay man from around the bay. I have lived all my life on rocky land that rolls to the sea.



### Government Orders

There is a common thread between the Prairies and the extreme east of this country, Newfoundland and Labrador. That common thread is common sense. My colleague, the NDP MP for Winnipeg Centre has pointed out in this House on numerous occasions, and this is a point that has resonated with me and should resonate with all Canadians, that there has never been one shred of evidence that farmers will be better off without the Canadian Wheat Board.

How can the Conservative government, which bills itself as being such a great steward of the Canadian economy in these tough economic times that will only get tougher, be so reckless as to turn the prairie farm economy on its head without even doing a cost benefit analysis? How?

Allen Oberg, a farmer and chair of the Canadian Wheat Board's board of directors, said:

This government has no plan. It has done no analysis. It has not even consulted farmers. Its approach is based solely on a blind commitment to a sound-bite phrase, called "marketing freedom". Yet, here we are, barrelling ahead on a timeline that will rip apart a 75-year-old marketing system in a matter of months, and hamper any potential successor organization. This government's reckless approach will throw Canada's grain industry into disarray. It will jeopardize the \$5-billion export sector. It will shift money away from the pockets of Canadian farmers into the hands of American corporations.

How can the Conservatives justify not carrying out a cost benefit analysis? How can the Conservatives base their argument on the strength of a free market when prairie farmers freely voted to market wheat through the Canadian Wheat Board?

On September 12, a majority of farmers voted in a plebiscite to keep the Wheat Board. A total of just over 38,000 farmers submitted mail-in ballots during the plebiscite, for a participation rate of 56%. That 56% is on par with the turnout for the last three federal elections.

• (1650)

Some 62% of respondents voted in favour of retaining the single desk for wheat. How can the Conservatives ignore those results? Easily enough when they have a majority government. That majority government power is a breeding ground for arrogance, a growing arrogance that has the Conservatives thinking they know better than Canadian farmers. That is not the case. Not so; not a chance.

What fishing and farming have most in common at this particular moment in our history is that they are both under direct attack by the Conservative government. In the Prairies, the Conservatives are attacking the livelihood of farmers with their attempt to kill off the Canadian Wheat Board. On the west and east coasts, the fisheries are their target with ongoing moves to gut what is left of the federal Department of Fisheries and Oceans.

What the Conservative government should realize, and must realize, is that its buddies on Bay Street cannot feed Canadian families. That is a simple fact of life.

I do not get it. I do not understand why the Conservatives have it in for Canada's primary producers: fishermen and farmers. Why? Who will benefit? Who will be threatened?

At the same time that the federal Conservatives are attempting to kill off the Canadian Wheat Board, back home in my home province,

the Progressive Conservative provincial government is moving toward the creation of a marketing board for fish.

The federal Conservatives are killing off the Wheat Board, which markets and brands Canadian wheat and barley around the world, at the same time that the provincial PCs in Newfoundland and Labrador are attempting to create a similar type fish board to market and brand our seafood around the world. That makes no sense. If anything, it shows that there should more study, more investigation, more review so that smart decisions can be made.

The federal Conservatives are killing the Wheat Board while the provincial PCs in Newfoundland and Labrador are birthing a fish board. Two governments, two different directions.

What do we know about the Canadian Wheat Board? We know the board sells grain to more than 70 countries around the world. The board returns all profits to farmers. That is between \$4 billion and \$7 billion a year. We know that the Wheat Board does not set grain prices. Prices are established by global supply and demand factors. However, the Canadian Wheat Board's size and market power are used to help maximize grain prices.

Therefore, it is logical to assume that in the absence of the Canadian Wheat Board prices will not be maximized, as was the case with the Australian wheat board whose monopoly was abolished in 2006. In three short years, Australia's 40,000 wheat farmers went from running their own grain marketing system, selling virtually all of Australia's wheat, 12% of world wheat production, worth about \$5 billion, to being mere customers of Cargill, one of the world's largest agribusiness corporations, which is privately owned by a company in the United States.

Since 2006 the Australian wheat board's share of wheat sales has dropped from 100% to 23% nationally, with 25 companies in the market all looking to make money on the spread between purchase and sale price. Make no mistake, people are still making money off Australian wheat, but it is not so much the Australian farmer who is making the money as the new middleman, the big corporations.

I want to end my speech with this thought which struck me today after I read the *Globe and Mail*. I read this:

Stephen Harper's crime legislation that triggered—

• (1655)

**The Acting Speaker (Mr. Barry Devolin):** Order, please. I would just remind the hon. member that he may not use the name of other members in his speech and that he has about 20 seconds remaining in his time.

**Mr. Ryan Cleary:** My apologies.

[The Prime Minister's] crime legislation that triggered last spring's election could pass through the Commons this week as it makes it way to becoming the law of the land - and Canadians still don't know how much it costs.

We do not know how much it costs. How does that make sense? We do not know the cost to the Canadian economy of eliminating the Canadian Wheat Board. That is not good enough.

**Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** Mr. Speaker, I have a question for my hon. colleague across the way. My father won the world championship in alfalfa in 1958. He grew the grain in northern B.C., in Fort St. John, and went to Toronto to collect that award. If he were here today, he would ask why he could not be equal with farmers in Ontario who have the freedom to market wheat and alfalfa as they see fit and why he could not have the liberty to do the same?

My question is simple. Why does my friend across the way not like liberty and equality?

**Mr. Ryan Cleary:** Mr. Speaker, I thank the hon. member across the way for the question and congratulate his father on that 1958 award.

What I know is this. My home province of Newfoundland and Labrador does not have a marketing arm. It has individual companies that try to market, brand and sell fish, and to date it has not worked. Its industry is but a shadow of its former self.

There was a complete review of the Newfoundland and Labrador fishery just carried out, a memorandum of understanding, and one of the principal findings of that MOU was that there should be a marketing arm established to brand and market Newfoundland and Labrador fish because it has not worked piecemeal.

It has not worked with individual processing companies selling and marketing their own products. It has not worked, so Newfoundland and Labrador is moving toward a marketing arm for its fish. If it works, if Newfoundland and Labrador fishermen are stronger as one, I would say to the hon. member across the way that the same would hold true for prairie farmers.

• (1700)

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Mr. Speaker, my colleague brought up a very good point, which is whether this decision to do away with the single desk is based on any extensive study of the situation. I have not personally seen it. Yes, it is often brought up by members of the government that this is in the name of marketing freedom and I am sure there are some farmers who want the freedom to market their grain. They all have a few acquaintances who have spoken to them and said that they would like to market their grain independently. However, there is also a large number who, for whatever reason, have voted not to go that way and they are concerned that if the Canadian Wheat Board is no longer a monopoly, they will be worse off.

How does the government make the decision? Is it based on its friends saying that it is a good thing to have market freedom or is it based on a serious study that shows that overall, when this legislation is adopted, all farmers or at least the majority of farmers will be better off in this country?

**Mr. Ryan Cleary:** Mr. Speaker, that is a very good question. From day one, since this legislation was introduced in the House of Commons, New Democrats have asked for a cost benefit analysis. Has a cost benefit analysis been carried out? The answer is no, it has not been carried out.

### *Government Orders*

In the absence of a cost benefit analysis, in the absence of hard and fast numbers as to whether the Wheat Board fulfills its mandate and western farmers would be better off marketing and selling their wheat through a Canadian Wheat Board, this is pure speculation.

The fact is that in these uncertain financial times, with what is happening in the European Union and our partner to the south, the United States, the Conservatives are taking an incredible chance with the western economy by trying this experiment. In the absence of hard and fast numbers, and a solid cost benefit analysis, that is all this is: an experiment.

**Mr. Brian Storseth (Westlock—St. Paul, CPC):** Mr. Speaker, I will be splitting my time with the member for Etobicoke—Lakeshore, the member who is also from St. Paul originally. We are proud to have him speak on the Canadian Wheat Board.

I would like to take a couple of minutes from my prepared text to respond to a couple of things that my hon. colleague before me talked about. In fact, there was a report done. It was one of about five that was brought up at the Wheat Board committee that said that western Canadian farmers would actually benefit by approximately \$450 million to \$628 million a year by gaining marketing freedom. That is not even taking the inefficiencies of the Canadian Wheat Board into account. That is not even talking about more jobs through value-added sectors. That is just talking about money that could potentially be in farmers' pockets. So just because the hon. colleagues across the way choose not to read the reports does not mean that they have not been done.

The other aspect I would like to point out is this is a very serious issue for western Canadian farmers. This is something that my producers in the Westlock—St. Paul region are counting on for August 2012. For hon. colleagues across the way to get up and ramble on about talking points that they use about government crime policy has nothing to do with jobs and money in the pockets of western Canadian farmers. I find that absolutely offensive.

In fact, I am not knowledgeable about a marketing fish board in Newfoundland, but if I were to vote on it in the House of Commons, I would definitely take the time to at least talk to some fishermen from Newfoundland.

I ask my hon. colleagues across the way, and there are going to be many western Canadian farmers here this week, to please take time and talk to them. Talk to them about what they see in opening up the Canadian Wheat Board and allowing farmers to have the option for marketing freedom while still keeping the Wheat Board in place for other farmers who want to use it.



*Government Orders*

I am honoured to speak to the bill. Our government's top priority is the economy in which the agriculture industry plays a vital role. We believe that all Canadians should be able to position their business to capture the marketing opportunities that are open to them. When passed, this legislation would provide western Canadian farmers with the same freedom and opportunities as other farmers in Canada already enjoy. That is the freedom to market their grain, based on what is the best for their business, to the buyer of their choice.

On October 18 the hon. Minister of Agriculture introduced legislation that aims to give farmers the right to choose how to market their wheat, durum and barley independently or through a voluntary Canadian Wheat Board. The marketing freedom for grain farmers act would give every farmer in western Canada the freedom to choose how to market their grain. Whether that is to a buyer who pays the full price on delivery, or through a pooled offer by the Canadian Wheat Board, our intention is to have this open marketing system in place for August 1, 2012.

However, as soon as the bill receives royal assent, it will allow farmers and grain companies to enter into forward contracts for the purchase or sale of wheat, barley, durum for the execution after August 1, 2012.

As we all know, nothing good ever comes easily. Change brings challenge, but it also brings a wealth of opportunity. Our government is working diligently with industry to make the road to an open market as smooth as possible, so farmers can capture as many of these opportunities as possible.

During our extensive consultations, industry has raised a number of valid issues around the transition process.

Over the summer a working group comprised of experts in the field met with a wide range of industry players. It heard a broad range of advice on how the grain marketing and transportation system could transition from the current CWB-run system to an open market that includes voluntary marketing pools and it released its report in September. The report does an excellent job of addressing the major transitional issues faced by the sector.

The group focused on a broad set of issues affecting the grain handling and transportation system including: access to elevators, rail and ports; access to producer cars and short lines; funding market development and research; price transparency; and tools for price discovery.

On the issue of access to port terminals, the working group examined this issue in some detail. It expects that grain companies will be actively competing for grain volume in an open market. Grain companies need volume and they have gone on record saying that they will offer access to get it.

●(1705)

Grain companies already offer handling services at ports to third parties that do not own elevators or port terminals, many of which are direct competitors.

There will be an adjustment, there is no doubt, but some producer groups are already showing they can compete and add value for farmers by forming alliances and synergies through the chain. For

instance, some inland terminals are co-owners of the Alliance Grain Terminal in Vancouver, and others have relationships with line companies.

These commercial relationships provide a win-win situation. They benefit farm members. It is already happening and it will continue to happen under marketing freedom.

On the issue of rail access, our government knows that proper rail service remains absolutely vital to doing business.

That is why the working group recommended that the Minister of Transport, Infrastructure and Communities continue the implementation of the rail freight service review initiatives.

We recently announced the appointment of Jim Dinning to lead a facilitation process to enhance rail freight service. Mr. Dinning brings a depth of experience and expertise in building consensus among industry leaders and government.

I would add that the industry also welcomed this announcement. "We are pleased to see the action plan set in motion", said David Nobbs, chair of Pulse Canada. Rick White, general manager of the Canadian Canola Growers Association said, "We are very pleased that the Government of Canada has taken steps to implement the first of four key recommendations, and we look forward to working with Mr. Dinning during the facilitation process".

The facilitation process will bring together shippers, railways and other key players to develop a template for service agreements and a streamlined commercial dispute resolution process. This was one of the key aspects that our shippers asked for when the level of service review was first undertaken.

Once the facilitation process is complete, our government has committed to tabling legislative changes that will give shippers the ability to establish agreements with the railways, promoting more predictable and efficient services.

On the issue of producer cars, the right to producer cars is protected in the Canada Grain Act, and the Canadian Grain Commission allocates these cars to producers. This will not change under the marketing freedom act.

The Canadian Wheat Board monopoly has no bearing on access to producer cars and our government will continue to protect producers' interests.

Under the new rules, producers and short lines will be able to make commercial arrangements with grain companies or the voluntary Canadian Wheat Board to market their grain.

Short line railways are expecting some adjustments as they will have more options of marketing partners for the grain volumes they can attract from producers, but already we are seeing some exciting partnerships. In Saskatchewan, for instance, the province's 12th short line railway was announced just recently.

There is no question that producer cars and short line rail will continue to offer an alternative to those producers who wish to use them.

Marketing choice for western Canadian farmers is not just about keeping a promise to our base, a promise that we have been making for over 10 years to western Canadian farmers. It is about modernizing our grains and oilseeds industries as well as our rail sector, and helping farmers continue to drive our economy.

I come from a part of rural Alberta that has been blessed with some of the hardest working, most entrepreneurial people in all of North America, if not the world. The people of Alberta, but in particular Westlock—St. Paul, despise handouts. In fact, most of the time they just want the government to stay out of their way.

My Grandfather Storseth was a perfect example. He left Norway and was willing to work hard and take some risks to get ahead in Canada. He was a farmer who broke his land with his own hands. He also trapped to help provide a living for his friends and neighbours. It is interesting, even back in the 1950s farmers had to work off-farm to earn a living.

When World War II started, he enlisted, and when his time overseas was finished, he came home to his farm in Fort Assiniboine. He never expected the government to give him a handout, but he did expect the government not to regulate him out of existence, not to tell him to whom he could and could not sell his products.

This is not a unique story. It is the story of many rural Albertans. As I said, we are a hard-working people who know that agriculture has always been the backbone of our economy. When the oil and gas booms come, the agriculture sector is the steady hand that continues to feed our province.

The changes that the Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board is making in Bill C-18, the marketing freedom act, will help provide for that marketing freedom and will help provide a strong, stable economy.

• (1710)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, if the member were to listen to what the average prairie wheat farmer is saying, he or she is saying that farmers do want to keep the Wheat Board; they see the value. I have said this on a number of occasions. I am sure he could sympathize with the farmer who says that a majority of the wheat farmers want to retain the Wheat Board, yet the majority Conservative government is taking away the Wheat Board. The government's argument is that it wants to provide freedom and that the bill is all about freedom.

For the Wheat Board farmer who produces milk and sells wheat, does that freedom apply to both, equally?

**Mr. Brian Storseth:** Mr. Speaker, it would be interesting to note that my position on the questions he asked has not changed.

### *Government Orders*

The opposition, particularly that member, continues to stand and say the Wheat Board is going to be eliminated. It is not. The Wheat Board will still be in place for western Canadian farmers. What they will also have is marketing freedom. When they put in their crops, when they hope for rain and hope that they do not get hailed out, and then do all the work before winter comes to get the grain in their bins, some of them want to get paid that year. They do not want to wait a full year for the Wheat Board to pay them. Some of them want to access open markets so they can get better money. Some of them want to use the board as a risk management tool. This will all be available to western Canadian farmers.

It is not helpful for members of the opposition, for their own political purposes, to try to create fear in western Canada by saying that the board will be eliminated when, in fact, that is not true.

**Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC):** Mr. Speaker, there has been misrepresentation of the facts. It was said that the minister had asked Canadian Wheat Board chair Allen Oberg to put the interests of farmers first, ahead of their own, long before it went ahead to work against the minister.

Would the member speak to the outreach efforts that the minister had made to ensure the Wheat Board was in fact invited and supposed to be part of the solution?

• (1715)

**Mr. Brian Storseth:** Mr. Speaker, the hon. minister is absolutely correct. The Minister of Agriculture and Agri-Food has done several outreaches, and our government has done many outreaches, to ensure that we had a smooth transition process moving forward.

I am very upset. The fact is that this could have happened a lot more smoothly, a lot more cohesively if, after we announced after May 2 that we would be moving forward with this, Mr. Oberg and the Canadian Wheat Board had helped facilitate the process rather than trying to burn the house down before they were out of it.

In fact, our government will continue to move forward with marketing freedom for western Canadian farmers because it is the right thing to do for western Canadian farmers and for our economy.

[Translation]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, the answer I got to my earlier question to the Minister of State for Finance was quite interesting.



*Government Orders*

I asked him if there were any sources of support, other than his friends, that would argue for this bill. He replied that the studies were his own personal experience. Once again, I would ask him if there really have been studies that have determined that it would be profitable for all farmers. If there are, and I strongly doubt it, I would like the hon. member to tell us about them, to prove that this bill and this change in our society will be profitable for all Canadians and all western farmers.

[English]

**Mr. Brian Storseth:** Mr. Speaker, as I stated in my speech, the 2008 Informa report clearly outlines the benefits to western Canadian farmers. In the Wheat Board committee, the working group took a look at about four other reports and tabled them. This is available if the member is truly interested in the benefits to western Canadian farmers. The Informa report said about \$450 million to \$628 million a year would be put directly into Canadian farmers' pockets. That is a tremendous amount of money for our farmers.

It is important to note that western Canadian farmers are asking to have both options, and that is what we are giving them. We are giving them the Canadian Wheat Board, the interim board that would be there, but we are also giving them marketing freedom. I fail to see how the member sees a downside to that.

Other than some little, hand-drawn chart that the member for Winnipeg Centre held up, the opposition has not shown us any proof that this would be detrimental to the western Canadian economy.

**Mr. Bernard Trottier (Etobicoke—Lakeshore, CPC):** Mr. Speaker, I am pleased to address the House today as we open an exciting new chapter on the great story of agriculture and the food industry in Canada.

Our government's top priority is the economy, in which agriculture plays a key and vital role. We believe that all Canadians, including farmers, should be able to position their businesses to capture the marketing opportunities that are open to them. We do not believe in the coercive powers of the state to tell people how to sell the products of their own work. We also do not believe in jail terms for western producers who sell their grain to whomever they want.

That means giving western Canadian wheat and barley farmers the freedom to make their own business decisions, including when and to whom they sell their grain. It also means giving food manufacturers in the rest of Canada, including the riding of Etobicoke—Lakeshore that I am proud to represent, better access to western wheat and barley so that they can compete globally.

The proposed legislation is about promoting entrepreneurship, innovation and forward thinking; skills that over the past 100 years have made Canada's Prairies the breadbasket of the world. These are skills that have helped agriculture lead the way in driving Canada's economic recovery.

However, for too long, 68 years to be exact, western Canadian grain growers have been held back from bringing these skills to grow new opportunities in their wheat, durum and barley fields. Antiquated Canadian Wheat Board legislation designed for a different time and different circumstances, World War II to be more precise, has cast a chill on innovation and marketing savvy on the Prairies.

Over the years we have seen farmers and other entrepreneurs seeking to add value to their crops by investing in processing beyond the farm gate. They ran into rules requiring them to buy back from the board the very crop they paid to grow, fertilize and harvest. As a result, we have seen a number of processors set up shop in the United States and Asia instead, taking the jobs, growth and export opportunities south and east with them.

I cannot think of an industry that could thrive under this kind of red tape. It is no wonder that non-board crops like oats, canola and pulses have taken off, as they are not subject to the Canadian Wheat Board's stifling web of rules.

Paul Orsak, a farmer near Binscarth, Manitoba recognizes this. He said:

It's not just about marketing choice and finding a competitive bid for my grain. It's about commercializing the industry as opposed to having it stagnate under a heavy wet blanket of a government agency which interferes with market signal and people's willingness to invest.

Those who are looking for an economic analysis need only listen to the Canadian Chamber of Commerce when it said:

The current single-desk model restricts valued added investment in wheat and barley, significantly diminishing the ability of farmers and industry to respond to market demands and earn a premium return in recognition of the innovation provided, including innovation in value-added processing.

Look at the success story of oats when they came out from under the monopoly. In Manitoba alone, the acreage of oats has increased by 200,000 acres since its removal from the Wheat Board's control. This has allowed for the opening and expansion of Can-Oat in Portage La Prairie, Manitoba which employs 125 people in value-added manufacturing jobs.

Let us talk about the potential of new jobs and hundreds of millions of dollars in value-added investments that could come to Canada.

I would remind members that the food processing industry in Canada is a major economic driver. It is our largest manufacturing sector in the country with \$90 billion in sales last year and record exports exceeding \$20 billion. It has outpaced the rest of manufacturing in terms of growth in sales, GDP and labour productivity in the past five years. It is Canada's largest manufacturing employer generating 270,000 jobs. It is the largest customer for Canadian farmers purchasing almost half, or 45%, of their production.

These are the types of value-added industries and jobs that will grow in Canada if farmers have the freedom to market their products as they so choose.

Our government is working with the entire value chain to create an open market that attracts investment, encourages innovation, creates value-added jobs and builds a stronger economy. We are committed to delivering marketing freedom to our western wheat, durum and barley growers.

Western Canadian grain farmers have already put our pulses and canola on the map with more than \$4 billion in exports last year. Who is to tell them that they do not have what it takes to market their wheat, durum and barley as well? This is paternalism at its worst. Marketing freedom will breathe new life into Canada's wheat and barley industries.

• (1720)

Earlier this fall, Alliance Grain Traders in Regina turned the sod on a new pasta plant and hopes to buy quality Canadian durum wheat directly from our hard-working producers on the Prairies. There is no buyback to get in the way and no middleman. This is one big step forward for western Canadian agriculture and the Canadian economy. The plant opening in Regina is scheduled for next year. Alliance is already a major presence in the pulse industry here in Canada. It has pasta plants worldwide. We welcome it and we welcome its investment in the future of prairie agriculture.

Canadian durum is the ingredient of choice in quality pastas around the world, even in Italy where people know a thing or two about pasta.

Last year, durum drove almost three-quarters of a billion dollars of our agriculture and food exports. By adding more value to those exports here in Canada, this investment will create jobs and give an even greater boost to our economy.

Western hard wheat is higher in protein and suitable for certain foods. Ontario soft wheat is currently used for certain products but soft wheat must be blended with hard wheat to make Asian noodles, which are manufactured in my riding of Etobicoke—Lakeshore. A manufacturer who sells Asian noodles into the North American and Asian markets is located in my riding. The company would like to be able to buy blended flour made from both Ontario soft wheat as well as western Canada hard wheat.

Right now, the Wheat Board places restrictions on western Canadian wheat farmers to which their Ontario counterparts are not subject. Ontario wheat farmers have the freedom to sell any portion of their crop to whomever they choose. They have many different ways they can do that. They can do it by pooling, by forward price contracts or by cash pricing through the Grain Farmers of Ontario. They can sell by resting orders, by defined destination contracts and by on-farm pickup. They have flexibility and freedom to sell it how they want. It is not so for western Canadian farmers.

The opportunities for both western Canadian and Ontario wheat are as follows. They can sell that hard and soft wheat into the growing Asian market or, better yet, they can process blended mixtures into flour domestically and sell the flour directly into the rapidly expanding Asian market as 45% of the Asian wheat flour market is devoted to noodles. Ontario processors could produce custom blends and become a one-stop shop. Currently, they often need to buy wheat separately from Australia. We are missing out on opportunities for processing in Canada.

The current Canadian regime not only hurts western grain farmers but it hurts all grain farmers in Canada, including wheat farmers in Ontario.

Our government's top priority is the economy in which the agriculture industry plays a vital role. Our government remains

### *Government Orders*

focused on strengthening our economy and creating jobs for Canadians. We know marketing freedom will drive economic opportunities for our grain industry and the food processing industry.

By attracting innovative new ventures, an open grain market will attract investment, encourage innovation, create value added jobs and build a stronger economy for all Canadians. It will sharpen the entrepreneurial skills of our young and established farmers to grow their businesses, increase productivity and create wealth and prosperity in Canada.

• (1725)

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, I would like to ask the member opposite what his understanding is of the experience in Australia. We on this side of the House have been reading about that experience. It is always good to learn from other people who have gone through this.

Jock Munro, an Australian wheat farmer, in the *Grain Matters* magazine, said:

We estimate we have lost \$4 billion as growers since the wheat industry was deregulated three years ago.

The loser is definitely the Australian wheat grower, and the winners are the huge companies that control the logistics chain and are end users themselves. The industry is moving into the hands of big multinationals, which is where we were 60-70 years ago. What the Australian industry has done is gone back to where it was pre-single desk.... Deregulation of our wheat industry is becoming a national embarrassment.

Western Canadian farmers should look at the Australian situation...which offers a cautionary tale. Australian farmers have seen no advantages...despite the planning and slow pace of transformation...

We were warned about this in *The Economist*. We were warned about this as well in *The Wall Street Journal*. We were warned that it would be the big multinationals that would reap the profits of this, profits that would otherwise be in the pockets of farmers.

Could the member explain what will make us different from the Australian experience?

**Mr. Bernard Trottier:** Mr. Speaker, I thank the hon. member for Guelph for his ongoing concern for the travails and the issues of western Canadian grain farmers.

What we are talking about here is Canada and whether the state can actually jail farmers for selling to whom they want to sell. Many countries have eliminated their monopolies. This includes the Soviet Union, China and Australia.

The fundamental question is whether the state can dictate to whom people can sell the crops that they grow with their own hands. That is the important question here.

[Translation]

**Mr. Denis Blanchette (Louis-Hébert, NDP):** Mr. Speaker, I would first like to thank my hon. colleague for his speech.



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One thing that surprises me in this debate is the apparent contrast being made here between freedom and democracy. We hear a lot about freedom from the government side. I would like the hon. member's comments on democracy. If what the government is proposing is so wonderful, why is the government afraid to consult farmers as it should, and why is it that we cannot have a healthy debate for as long as it takes to do it democratically? I would like to hear his comments.

**Mr. Bernard Trottier:** Mr. Speaker, I thank the hon. member for Louis-Hébert for his question.

We are doing great work together in committee, standing up for the interests of entrepreneurs.

[*English*]

This really comes down to the fundamental question about freedom to sell to whom they want to sell. In terms of a plebiscite, that question has been raised many times by members opposite and various plebiscites have been taken. However, if just one farmer wanted to have that freedom to sell to whomever he or she wanted to sell, then that should be enough. There is no reason to jail any farmer for selling crops to whom he or she wants to sell. That is all the science we need. It is a basic fundamental human freedom to sell a crop.

● (1730)

[*Translation*]

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, I will share my time with the member for Churchill.

Canadian democracy is falling apart. We need only look at the protests happening across Canada and Quebec to see that this is the case. Bill C-10 is another example. Instead of dialogue, the Conservatives issued a gag order to force the passage of a very controversial bill on safe streets and communities. They are doing the same thing with Bill C-18. I will briefly go over what this bill proposes.

It proposes that we dismantle the Canadian Wheat Board; put an end to the single-desk marketing of wheat and barley; replace the board with an interim structure with voluntary membership; and privatize it or dissolve it completely if, in the coming years, it is not profitable for any private firms. Bill C-18 is a reflection of the neo-liberalism that underlies this government's economic policy.

Representatives of prairie farmers and other independent experts have raised concerns about the repercussions that dismantling the Canadian Wheat Board would have on farming families and on the economy, not only in the Prairies, but also in Canada as a whole, during this period of economic uncertainty. But the Conservative government is obsessed with its own ideology and it refuses to listen and take these concerns into consideration.

The Canadian Wheat Board is an economic structure that has proven its effectiveness and its impact on the prairie economy. Since it sells Canadian farmers' grain products in about 70 countries around the world, there is no doubt that the Canadian Wheat Board contributes to our country's international presence and helps improve the living conditions of the farmers for whom it brings in some \$4 billion to \$7 billion a year. In other words, it pumps billions of dollars into our economy.

The numbers prove that the Canadian Wheat Board is economically viable. There is absolutely no doubt, and the Conservatives' arguments in favour of dismantling it were ripped apart by speakers before me. The Conservatives are using the failure in Ontario, which withdrew from the single-desk system, to justify dismantling the Canadian Wheat Board. That argument is indefensible. It does not apply to the reality facing farmers in western Canada. To compare the two is specious and even irresponsible.

It is not possible to compare apples to oranges on the grounds that apples and oranges are both fruit. In fact, it was through a democratic process—led by farmers themselves—that Ontario farmers decided to abolish their single desk. Prairie farmers, in contrast, voted to keep the Canadian Wheat Board. Furthermore, the wheat grown by Ontario farmers is used only in pastry, cookies and cakes for local consumption. The wheat grown by prairie farmers is used for bread and pasta for which there is no significant local market.

While Ontario's farmers rely more on grain companies to handle their crops, prairie farmers, on the other hand, count on the board for fair market access for everyone, including those who ship in producer cars.

The Conservatives claim that Bill C-18 will improve farmers' ability to market their wheat and barley by giving them a choice of who to sell their grain to and how to do so. But the reality is quite different: this bill is not compatible with their desires. It removes some freedom of choice from the farmers. At present, the board is controlled, managed and financed by farmers, for farmers.

With Bill C-18, the government will begin to intrude rashly into the board's management, which is the responsibility of the farmers. They do not need the government's help.

● (1735)

We have to wonder whether the Conservatives' desire to dismantle the Canadian Wheat Board is not driven by major grain companies, especially American ones, which are rubbing their hands together at the thought of having free access to Canadian grain.

The Canadian Wheat Board owes its impact to a certain number of parameters that we must remember in order to make an informed decision. Before coming back to the repercussions that dismantling the Canadian Wheat Board will likely have, I should mention that the Canadian Wheat Board manages a supply chain from the farm to the table. The international reputation it enjoys, because of the quality of its constant supply and the quality of the services it provides, is envied by other countries.

It has a flexible and democratic organizational structure. Since it is not a grain corporation, the Canadian Wheat Board, which the government is seeking to dismantle today with Bill C-18, does not have any grain handling infrastructure—such as grain elevators or port terminals—to receive the grain production from the farmers and to load it onto ships. It is not overly staffed either. What is more, it does not run on a very big budget. Its only major asset is, and remains, its mandate, defined by a law authorizing it to sell western Canadian wheat, durum and barley through a single desk.

In light of these many advantages, we are appealing to this government to maintain the Canadian Wheat Board, because abolishing it would be disastrous, not only for the prairie economy, but also for the lives of prairie families, for whom farming is their bread and butter.

In closing, I would like to point out a few of the repercussions I alluded to. First of all, abolishing the Canadian Wheat Board will reduce profits for large-scale farmers. Indeed, since it is the sole seller of western Canadian wheat and barley, the board generates significant premiums for prairie farmers. With a single-desk model, not having competition among suppliers means that prices are not driven down for the same grain buyer.

Second, abolishing the Canadian Wheat Board will jeopardize the funding of activities for any future entity. Indeed, under the Canadian Wheat Board Act, the board cannot keep any profits or own any real assets. As a result, it has no financial base. It will have to acquire a significant financial base in order to prosper in a free market.

Third, abolishing the board will require whoever liquidates it to pay all the costs associated with the liquidation, so that a new entity cannot be forced to take them on. Given that the government—and not farmers—wants to liquidate it, farmers should not have to assume the cost of this government's ill-advised decision.

Fourth, abolishing the board will have negative repercussions on producer car shippers and on short line railways.

This bill is dangerous. It will be disastrous for prairie farmers in these difficult economic times. We believe that any decision on the future of the board should be made by farmers for farmers.

These are some of the reasons why we oppose abolishing the Canadian Wheat Board.

[English]

**Mr. Earl Dreshen (Red Deer, CPC):** Mr. Speaker, it was said by Socrates, “Nobody is qualified to become a statesman who is entirely ignorant of the problems of wheat”. I am afraid that comes into this realm.

Could the hon. member discuss what will happen when we have the ability to continue the pooling options for wheat, durum and barley but be able to include other grains as well? If the rhetoric is it is going to kill the Canadian Wheat Board and if she recognizes that is all that it is, as far as the Canadian Wheat Board is concerned, the pooling options that are there will give the opportunity for 100% of the people to use that option if they wish to do so.

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• (1740)

[Translation]

**Mrs. Sadia Groguhé:** Mr. Speaker, I thank the member for his question.

I would like to mention that a great deal has been said about freedom and democracy in these debates, but I believe that the terms “freedom” and “democracy” have unfortunately been tarnished by this government. In the bill before us, Bill C-18, there has been no real analysis or consultation of farmers. The government just promotes market freedom, which will definitely throw the grain industry into disarray. That is what will happen with this bill.

[English]

**Ms. Joyce Murray (Vancouver Quadra, Lib.):** Mr. Speaker, earlier my colleague from Guelph made a comment about the very negative repercussions experienced in another country doing this kind of deregulation.

On Friday, I attended an urban farming forum in Vancouver, which was well-attended. People are interested in what kind of government framework or supports there are for small farmers or young people who want to get into farming or organic farming for more direct farm-to-urban table approaches. It appears to me that this deregulation of wheat growing will go in exactly the opposite direction than what is needed.

What might the effect be on smaller farms and family farms compared with the larger farms after this deregulation of wheat marketing?

[Translation]

**Mrs. Sadia Groguhé:** Mr. Speaker, I thank the member for her question.

I believe that this deregulation will affect small farmers. We know that the CWB negotiates sales internationally and that it gives the premiums to farmers, and to the most disadvantaged farmers. That will no longer be the case with an open market and deregulation. Farmers are stronger and more competitive because of the CWB. Acting as individuals, they will be destroyed or substantially impoverished. Those are the consequences of this bill.

**Mr. Pierre Jacob (Brome—Missisquoi, NDP):** Mr. Speaker, my colleague from Saint-Lambert has aptly described the many negative repercussions of Bill C-18.

In particular, farmers will be subject to greater risks and uncertainty. Small farms will be impoverished. People on family farms will have to work harder in order to survive. In addition, consumers will pay more for food and the quality of wheat will be lower.

I would like my colleague from Saint-Lambert to explain why the cost of food will increase and the quality of wheat will decrease.

**Mrs. Sadia Groguhé:** Mr. Speaker, I want to thank the hon. member for the question.



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I want to come back to an important point about this bill that I think we must truly keep in mind. We are witnessing a rather odd phenomenon: the flouting of democracy. The government is dismantling a powerful tool for farmers, a tool that promoted some fairness and equality for the sale of grain products. Furthermore, the livelihood and well-being of farmers deserved a real debate in the House. Unfortunately, the farmers were not heard and the debate was not held.

● (1745)

[*English*]

**Ms. Niki Ashton (Churchill, NDP):** Mr. Speaker, today Canadians are witnessing the anti-democratic, ideological agenda of the Conservative government.

Western Canadians are today witnessing a government take a position without listening to the very voices of the people they claim to represent. Today many Canadians will realize the way in which the federal government does not represent us and why it is time to talk about the need to have real representation about the real issues that matter to Canadians.

I want to begin by responding to the allegations made in the House these last few days that have involved my name. I am very disappointed by the allegations made by the member of Regina—Lumsden—Lake Centre and the Chief Government Whip.

The government whip approached me last week after a disruption in the gallery and accused me of organizing it. I made it clear that this was not the case. In Parliament we are all hon. members and the acceptance of the word of a member of Parliament is fundamental to the functioning of the House.

Instead of accepting my word as a member of the House, the Chief Government Whip approached me in this very Chamber and indicated to me the phrase “you will get attacked”. He went on to repeat the fictional story that he and his colleagues shared in this House.

I want to make it clear that I provided gallery passes to a group of western farmers who support the Wheat Board. I provide passes, like so many members of Parliament, to people who visit their House of Commons. I had no knowledge there would be a disruption. For the record, that member of the public who protested in this gallery just hours later apologized to me and noted that I had no knowledge of his intentions and certainly had no part in organizing.

The government members, instead, were eager to make unfounded accusations and attempts to intimidate me. This attitude is not fitting for a government that was elected to represent Canadians. The House operates on the basis of honouring members, of honouring the word of members and of honouring the fact that we have been elected to represent Canadians.

I believe the whip should withdraw his statement and apologize to the House. This attitude is a reflection of the government's contempt for anyone who disagrees with them.

I want to make one thing clear. I will not be intimidated by members opposite. I know they have a difficulty with the fact that I represent a rural western Canadian riding. I have news for them. If they continue down this path of arrogance, ideology and contempt

for the voices of western Canadians, they will see lot more New Democratic Party members of Parliament representing western Canada.

The lessons of the government's desire to pursue its extreme ideological agenda on Bill C-18 and dismantling the Canadian Wheat Board is a reflection of patterns we have seen in history before. Might I reference the Mulroney Conservatives who after taking western Canada for granted time and time again were rewarded by being re-elected with only two seats in the House of Commons, and none of them were from western Canada.

That process led to the beginning of the social movement and a political movement in western Canada known as the Reform Party. Many of those members of Parliament came out of that movement. Some have since retired, some are still, today, here. Those people came out of a movement that spoke about democracy, that talked about listening to the grassroots, that talked about respecting the democratic voice of people across western Canada. They talked about the west wanting in and people from western Canada wanting to be heard.

● (1750)

These very same people, these same members of Parliament, have today denied western Canadian farmers the right to vote. Along with that, they have denied western Canadians—the people who live across the prairie provinces and whose livelihoods depend on the work of the Canadian Wheat Board—the ability to speak to oppose them.

The Conservatives talked about having campaigned in the election to dismantle the Wheat Board. For many of our constituencies, that statement is completely and utterly false. They buried it in a platform, and we have heard from people across the Prairies that nowhere was it actually talked about in debates, in campaign events or in the pamphlets that they handed out during the election.

I can speak to the fact that in Churchill the Conservative candidate, who was based in the community that stands to lose the most directly from the loss of the Wheat Board, never once made public reference to the government's plan to dismantle an institution on which so many of the people I represent depend.

We even have the minister's quote in Minnedosa, Manitoba, when he talked about respecting farmers' right to vote. However, days later, after winning a majority government, the government became extremely arrogant and became dismissive of its own commitments during the election campaign. It became so dismissive of the very statements government members had made to western Canadians that we now have it pursuing the exact opposite approach. The government has put forward an agenda and a timeline in this debate that is unprecedented in the way in which it has been able to muzzle any kind of opposition across Canada.

For the last while, I have had a chance to talk a lot about the old politics, the politics of this government, the politics that Canadians are sick and tired of, the politics of hidden agendas. They are tired of hearing one thing during the election and then, upon electing a government, hearing something completely different. Once the Conservatives got a majority, they were willing to steamroll the rights of western Canadians and steamroll anyone in their way who might have a different point of view.

The Conservatives have brought in closure time and time again, and in a most shocking way when it comes to Bill C-18. This is a tool that signifies their complete lack of respect for Canadians' voices, Canadians who have something different to bring to the table, Canadians who simply want to be heard.

Instead of listening, they have managed to keep busy in a number of other ways. They have kept busy by making videos that insult aboriginal people in the statements they make and videos that demean western Canadian producers.

They have sought ways to bury debate. They use public relations stunts and government money for ads in order to take away the important role that Parliament has to debate these very issues. Instead of being up front, they obfuscate and hide the facts that we need to know as we move forward.

On the contingency fund, it is clear that the government is taking the money from farmers and putting it toward its own state-run agency, having lifted the ceiling, instead of giving that money back to farmers.

I want to acknowledge the work of people who were elected to represent western Canadian farmers: Stuart Wells, Bill Woods, Allen Oberg, Cam Goff, Kyle Korneychuk, Rod Flaman, John Sandborn and Bill Toews. The voices of young farmers such as Sid Stevenson and Matt Gell and the voices of the people of Churchill, of the Bay line, of Winnipeg, as well as voices across Manitoba, Saskatchewan, Alberta, and even parts of British Columbia need to be heard in this House. These are the people the government is taking for granted.

The Conservatives should mark our words: as we stand here to bring voice to those very people, to western Canadians and to all Canadians, we are going to make sure that they know that the arrogance, the ideological agenda and the undemocratic approach of this government is unacceptable, and that next time around we will build a government that actually represents Canadians.

• (1755)

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I have to comment on the disruption in the gallery last week that my hon. friend from Churchill mentioned during her intervention. She mentioned that she felt the chief government whip had intimidated her. I can assure this place, as she well knows, that all the chief government whip was doing was giving her a heads-up that there would be an intervention coming from our side the following day. It was an act of courtesy and certainly not one of intimidation.

I would also point out, as I did in my intervention that day, that our main argument was that the demonstration showed a contempt for Parliament, and that members of her party were encouraging and

condoning that contempt. That is unacceptable, and it should always remain unacceptable.

With respect to the member's comments on the Wheat Board, she says that there is some hidden agenda. We have been talking about this issue for over 20 years. There are farmers who have travelled a great distance to be in Ottawa today because they support everything we are doing to give them the freedom they need. It is costing producers money; it always has.

The final point is that if the Canadian Wheat Board were as valuable an institution as the member suggests, no producers would want to leave it. Producers are doing so because the Wheat Board is not benefiting them.

**Ms. Niki Ashton:** Mr. Speaker, perhaps it is important that I remind my colleagues across that this House is built on the very principle of honouring a member's word. That is exactly what did not happen last week in my interaction with the chief government whip or as the member continues to repeat that story.

Let me clear the record: I was not intimidated, but there was every effort to do so, and attempting to do so was an insult not only to us but to the very people we represent.

Let me bring it back to this question: why is the government so afraid, and why has it been so afraid, to allow western Canadian producers a vote? That is my question. Today we know that the government has no answer.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, the Canadian Wheat Board is an organization operated by farmers for farmers. The bill goes against what a majority of Manitoba, Saskatchewan and Alberta grain farmers want. The response by the Prime Minister was best said on October 7 in *The Globe and Mail*:

It's time for the wheat board and others who have been standing in the way to realize that this train is barreling down the prairie track. You're much better off to get on it than to lie on the tracks because this is going ahead.

The Prime Minister treated our prairie farmers like trash when he made those comments.

The prairie grain farmer has spoken. Shortly we are going to have a vote on this bill, and we appeal to the government members to respect the prairie grain farmers, over 20,000 of whom voted overwhelmingly to keep the Wheat Board. We appeal to the government to respect the wishes of those prairie farmers and withhold support for the bill today.

**Ms. Niki Ashton:** Mr. Speaker, today we are talking about a government that is fundamentally taking for granted western Canadians. It is a government that has refused to give western Canadians a voice in the House of Commons through its failure to respect the Canadian Wheat Board plebiscite, through its failure to live up to the election commitment of the Minister of Agriculture in my home province of Manitoba, through its failure to follow legislation that commits a vote to farmers and through its failure to hold proper debate both in the House and at committee.



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Why does the government have so much against standing up and listening to the voices of Canadians who might have a different point of view? Today it is the Wheat Board. Tomorrow it is other marketing boards, the CBC and medicare.

We in the New Democratic Party will make sure Canadians know that Canadians will not be steamrolled.

**Mr. Pierre Lemieux (Parliamentary Secretary to the Minister of Agriculture, CPC):** Mr. Speaker, I will be sharing my time with the member for Peace River.

I am pleased to stand and address this issue, which affects the livelihood and future of western Canadian farmers. Farmers, like any other business people, want to make the right decisions for their farms. They already decide what to plant, when to plant, when to spray and when to harvest. They make marketing decisions on their canola and pulse crops, their peas, lentils, beans, oats and many other crops, and they want the very same marketing freedom for their wheat and barley.

As with anyone in business, farmers take the risks and live with the consequences of their business decisions. Whether barbers, plumbers, hardware store owners or Ontario grain growers, Canadian business owners make the decisions. Western farmers want and deserve this same freedom.

Our Conservative government trusts farmers to make their marketing choices based on what is best for their own businesses. We want to put farmers back in the driver's seat so that they can continue to drive the economy, and that is what the marketing freedom for grain farmers bill is all about.

There is much negativity and fearmongering from the opposition MPs and from the Wheat Board itself around the issue of grain marketing in western Canada, and it is unfounded. We believe that a voluntary wheat board could and would be a viable part of a reinvigorated western Canadian grain industry. As the president of the Grain Growers—

● (1800)

**The Acting Speaker (Mr. Bruce Stanton):** Order, please. I do not like to interrupt the hon. parliamentary secretary.

Order. Order, please. The hon. Parliamentary Secretary to the Minister of Agriculture has the floor. I would ask that all members respect the member who has the floor. There will be order, please.

The hon. Parliamentary Secretary to the Minister of Agriculture.

**Mr. Pierre Lemieux:** Mr. Speaker, we believe that a voluntary wheat board can and will be a viable part of a reinvigorated western Canadian grain industry. As the president of the Grain Growers of Canada said recently, “a lot of farmers want to see the CWB as an active player in the open market, so let’s put the tools in their toolbox they need to be successful”.

Our government has introduced legislation which, when passed by Parliament, would give farmers in western Canada the freedom of choice that they both want and need. Marketing freedom has been a cornerstone of our Conservative platform since day one, and we ensured that it was included in the throne speech in June. We know farmers want to make their marketing choices based on what is best for their own farms and businesses.

The legislation we have introduced would allow western Canadian farmers to do just that, while removing government control from where it is not needed. Western Canadian grain farmers expect us to deliver on our promises and we are determined to do just that. In fact, that is what is happening tonight. We will be delivering on what we have long promised.

The British Columbia, Alberta and Saskatchewan provincial governments support this change. In fact, I joined the agriculture ministers from both Alberta and Saskatchewan today, along with our own federal agriculture minister, for a press conference on the transition of a mandatory wheat board to a voluntary one.

We want the Wheat Board to work on a model of serving farmers in a post-monopoly environment and we want others to work with us for a smooth transition. We recognize that this is a complex process and I want to assure farmers that we will continue to put their best interests first.

There is a whole range of players to consider, from the farmers to the railways and many more. That is why we have been consulting extensively with stakeholders from across the supply chain, from the farm gate to the elevators to the sea ports. Over the summer, a working group comprised of experts in the field heard a broad range of advice on how the grain marketing and transportation system could transition from the current CWB run system to an open market that includes voluntary marketing pools. The working group is one of the many ways the government is seeking advice on how to move forward.

Our government must and will do all that is possible to ensure an orderly transition to a free market system. We would ask the existing Wheat Board to join us in this transition. We want to make sure the clarity and certainty are there as we work together to level the playing field for our western Canadian grain farmers. We need to ensure that our proposed legislation reflects the needs of farmers and industry for a smooth transition. We are prepared to engage with every level of the grain industry, especially with the Wheat Board itself.

We are turning a new page in our nation's great history and our nation and agricultural sector will be better for it. Over the past century, Canada's grain industry has grown into a powerhouse that brings \$16 billion to the farm gate and drives close to half our agricultural exports. Those dollars create jobs and prosperity here at home, from the combine to the checkout counter. At the same time, our grain farmers have established a world-class reputation for quality that is the envy of the world.

This achievement is not the result of one single player. It is the result of a relentless commitment to excellence by the entire sector: the Canadian Grain Commission, the Canadian International Grains Institute, the Western Grains Research Foundation, the Canadian Malting Barley Technical Centre and, most importantly, the hard-working men and women who make sure we have a world-class product to sell in the first place.

Given our country's success in marketing wheat and barley, why change the system? Because we value marketing freedom and we need to do better. We only need look at the growth in the canola and pulse industry, which has been accomplished through marketing freedom with no single desk seller. As Canada positions itself for future growth, we need a strong, profitable grain sector more than ever.

Our government is proud to generate new opportunities for our grain growers. We are opening up new markets around the world for Canadian high quality products. We are hammering out new free trade agreements with key customers like India and the European Union.

Long term, the outlook for Canada's agriculture sector is bright. Farming is becoming increasingly complex and competitive on the world stage. We are seeing a growing demand for healthy, high quality food and we know Canadian farmers can deliver. Our natural advantages of land, water, a clean environment and a skilled workforce position us well for future growth and prosperity.

• (1805)

The Minister of Agriculture and Agri-Food is meeting with industry and provincial and territorial governments to begin shaping a new agricultural framework, known as "Growing Forward 2". This new framework for the future will help us move to a more modern, innovative, competitive, and sustainable sector that will define our success over the next decade.

Exciting new opportunities lie ahead for our farmers. We need to ensure that all farmers right across this great country can position their businesses to capture those opportunities. The marketing freedom for grain farmers act would help them do that. That is why it is so important for Parliament to pass the legislation.

The closing minutes of this debate are approaching. This is a historic moment for our government and for western Canadian grain farmers. I invite the opposition MPs to participate in this historic moment, but in a positive manner. I ask them to sympathize with western grain farmers. I ask them to do what is right. I ask them to vote for marketing freedom for western grain farmers tonight. This is their opportunity.

[Translation]

**Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP):** Mr. Speaker, the Parliamentary Secretary to the Minister of Agriculture talks about encouraging farmers and grain producers. However, there is a serious and fundamental problem because the latter are in fact the legitimate owners of the Canadian Wheat Board. According to the law, they should have been consulted. This would have been a very simple and easy exercise.

Had they agreed to abolish the board, no one would have protested. But there you have it, the government decided to ignore

their rights and their choices. It is an even more serious problem because the government promised to conduct a plebiscite. Then there is the whole issue of what the Conservatives will do with agricultural co-operatives, which have buying and selling constraints. What will they do with milk quotas that limit producers to a given production? These are all important questions that will not be dealt with properly, if we go by the disastrous precedent set in the case of the Canadian Wheat Board, namely, that the government does not consult the people.

[English]

**Mr. Pierre Lemieux:** Mr. Speaker, that is a bizarre question. An MP from Quebec, who does not represent one single western Canadian grain farmer, is telling the Conservative Party, which has 52 MPs from western Canada who do—

**The Acting Speaker (Mr. Bruce Stanton):** Order. Is the hon. member for Marc-Aurèle-Fortin rising on a point of order?

[Translation]

**Mr. Alain Giguère:** Mr. Speaker, with all due respect for the Parliamentary Secretary to the Minister of Agriculture, Quebec is still part of Canada, at least as far as I know.

• (1810)

[English]

**The Acting Speaker (Mr. Bruce Stanton):** These are really matters of debate. It is not really a point of order. We will let the parliamentary secretary continue with his response.

**Mr. Pierre Lemieux:** Mr. Speaker, the false outrage definitely was not a point of order.

My point is that the MP does not represent a single western Canadian grain farmer, yet he is telling Conservative members of Parliament who represent western Canadian grain farmers, in fact 52 out of 57 seats are held by Conservatives, that somehow we are not representing western Canadian grain farmers.

We had a federal election in May 2011. Our members were elected out west. We understand the concerns of western Canadian grain farmers. We represent Canadian grain farmers. We are acting on their behalf by moving forward with marketing freedom.

**Mr. Frank Valeriote (Guelph, Lib.):** Mr. Speaker, I had the opportunity on four or five occasions to go out west and talk to hundreds of farms out west, who gathered in groups, who did vote Conservative. However, they told me, clearly, they did not vote Conservative for the purpose of dismantling the Canadian Wheat Board. The member needs to understand that.

When the Wheat Board is dismantled, it will lose its clout. *The Economist* has said that small farms will fail. *The Economist* has said that not only will small farms fail, but small town economies out west will forever change. *The Wall Street Journal* said that profits will be found in the hands of Viterra and Cargill, from whose pockets? From the farmers' pockets.



*Government Orders*

I ask the member opposite, if he is so convinced that a majority of farmers want this to happen, why did they not hold a vote under section 47.1 of the Canadian Wheat Board Act? Those same farmers said they would live by whatever that vote determined.

**Mr. Pierre Lemieux:** Mr. Speaker, the question I have to ask my colleague is, what has he got against marketing freedom for western Canadian grain farmers? Why does he not have confidence in their ability to market their own product?

I am assuming that dire fearmongering does not apply to canola, to pulse crops, to beef, to pork, to all of these other commodities that our farmers are quite capable of marketing.

The member expresses absolutely no confidence in western Canadian grain farmers. Shame on him. However, he has an opportunity to redeem himself. Tonight he can vote for marketing freedom for our western grain farmers.

**Mr. Leon Benoit (Vegreville—Wainwright, CPC):** Mr. Speaker, the members opposite talk about a referendum. To me, this is an issue of rights, a property rights issue, a basic fundamental right. If the opposition members would choose to vote to remove this right, what other rights might they vote to remove?

**Mr. Pierre Lemieux:** Mr. Speaker, my colleague understands the issue that is at the heart of this legislation, and that is offering marketing freedom to our western Canadian grain farmers.

When I listen to the opposition MPs, they are against that marketing freedom for grain farmers only. It makes no sense. In their own territory, if they happen to represent any farmers, they would want marketing freedom for their farmers, but for some reason, they have carved out western Canadian grain farmers. There would be no marketing freedom for them, not if they had their way.

Once again, I invite the opposition MPs to stand tonight and vote for western Canadian grain farmers, and vote for marketing freedom.

[Translation]

**Ms. Ève Péclet (La Pointe-de-l'Île, NDP):** Mr. Speaker, I would just like to point out that, to add insult to injury, we have heard the members complaining loudly about opposition members. They are telling us that we lack respect for Canadians when, in fact, they are not even taking the current debate seriously.

What happened in Australia when the Australian wheat board was dismantled? The price of wheat dropped and farmers, who previously received \$99 a tonne for their wheat, were getting only \$27 a tonne. We are thus well aware that small-scale farmers cannot compete against big business, so—

● (1815)

[English]

**The Acting Speaker (Mr. Bruce Stanton):** Order. The hon. Parliamentary Secretary to the Minister of Agriculture.

**Mr. Pierre Lemieux:** Mr. Speaker, it was very hard to follow that question as the hon. member spun herself out of control.

The important thing to understand is that there is a vote tonight for marketing freedom for our western Canadian grain farmers. The opposition MPs should stand up in defence of our western Canadian grain farmers. They should vote for marketing freedom to give our

grain farmers every opportunity that other grain farmers across the country enjoy.

[Translation]

**The Acting Speaker (Mr. Bruce Stanton):** Order, please. It being 6:16 p.m., pursuant to order made Wednesday, November 23, 2011, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the third reading stage of the bill now before the House.

[English]

The question is on the amendment. Is it the pleasure of the House to adopt the amendment?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the amendment will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** Call in the members.

● (1845)

[Translation]

(The House divided on the amendment, which was negated on the following division:)

(Division No. 76)

## YEAS

## Members

Allen (Welland)	Ashton
Atamanenko	Aubin
Ayala	Bélanger
Bennett	Benskin
Blanchette	Blanchette-Lamothe
Boivin	Borg
Boulerice	Boutin-Sweet
Brahmi	Brisson
Brosseau	Byrne
Caron	Casey
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Christopherson	Cleary
Coderre	Crowder
Cullen	Cuzner
Davies (Vancouver Kingsway)	Davies (Vancouver East)
Day	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Etobicoke North)
Duncan (Edmonton—Strathcona)	Dussault
Easter	Eyking
Foote	Freeman
Garneau	Genest

Genest-Jourdain  
 Godin  
 Gravelle  
 Harris (Scarborough Southwest)  
 Hsu  
 Ilyer  
 Julian  
 Lamoureux  
 Larose  
 Laverdière  
 LeBlanc (LaSalle—Émard)  
 Liu  
 Marston  
 Masse  
 May  
 McKay (Scarborough—Guildwood)  
 Moore (Abitibi—Témiscamingue)  
 Morin (Notre-Dame-de-Grâce—Lachine)  
 Morin (Saint-Hyacinthe—Bagot)  
 Nantel  
 Nicholls  
 Pacetti  
 Patry  
 Perreault  
 Plamondon  
 Rac  
 Ravnagat  
 Regan  
 Sandhu  
 Scarpaleggia  
 Simms (Bonavista—Gander—Grand Falls—Windsor)  
 Sims (Newton—North Delta)  
 Sitsabaiesan  
 Stewart  
 Sullivan  
 Toone  
 Trudeau

Giguère  
 Goodale  
 Grogubé  
 Harris (St. John's East)  
 Hughes  
 Jacob  
 Kellway  
 Lapointe  
 Latendresse  
 LeBlanc (Beauséjour)  
 Leslie  
 Mai  
 Martin  
 Mathysen  
 McCallum  
 Michaud  
 Morin (Chicoutimi—Le Fjord)  
 Morin (Laurentides—Labelle)  
 Murray  
 Nash  
 Nunez-Melo  
 Papillon  
 Péclet  
 Pilon  
 Quach  
 Rafferty  
 Raynault  
 Rousseau  
 Savoie  
 Sellah  
 St-Denis  
 Stoffer  
 Thibault  
 Tremblay  
 Valériote — 120

## NAYS

## Members

Ablonczy  
 Adler  
 Albas  
 Alexander  
 Allison  
 Anders  
 Armstrong  
 Aspin  
 Benoit  
 Bezan  
 Block  
 Braid  
 Brown (Leeds—Grenville)  
 Brown (Barrie)  
 Butt  
 Calkins  
 Carmichael  
 Chisu  
 Clarke  
 Davidson  
 Del Mastro  
 Dreesen  
 Dykstra  
 Findlay (Delta—Richmond East)  
 Flaherty  
 Galipeau  
 Glover  
 Goodyear  
 Grewal  
 Harris (Cariboo—Prince George)  
 Hayes  
 Hoback  
 Holder  
 Jean  
 Keddy (South Shore—St. Margaret's)  
 Kerr  
 Kramp (Prince Edward—Hastings)  
 Lauzon  
 Leef  
 Lemieux  
 Lobb  
 Lunney

Adams  
 Aglukkaq  
 Albrecht  
 Allen (Tobique—Mactaquac)  
 Ambler  
 Anderson  
 Ashfield  
 Baird  
 Bernier  
 Blaney  
 Boughen  
 Breitzkreuz  
 Brown (Newmarket—Aurora)  
 Bruinooog  
 Calandra  
 Cannan  
 Carrie  
 Chong  
 Clement  
 Dechert  
 Devolin  
 Duncan (Vancouver Island North)  
 Fantino  
 Finley (Haldimand—Norfolk)  
 Fletcher  
 Gallant  
 Goldring  
 Gourde  
 Harper  
 Hawn  
 Hiebert  
 Hoeppner  
 James  
 Kamp (Pitt Meadows—Maple Ridge—Mission)  
 Kent  
 Komarnicki  
 Lake  
 Lebel  
 Leitch  
 Leung  
 Lukiwski  
 MacKay (Central Nova)

## Government Orders

MacKenzie  
 McColeman  
 McEgakis  
 Merrifield  
 Moore (Port Moody—Westwood—Port Coquitlam)  
 Moore (Fundy Royal)  
 Nicholson  
 O'Connor  
 Obhrai  
 Opitz  
 Payne  
 Poilievre  
 Raitt  
 Rathgeber  
 Rempel  
 Richardson  
 Ritz  
 Schellenberger  
 Shea  
 Shory  
 Sopuck  
 Stanton  
 Strahl  
 Tilson  
 Trost  
 Truppe  
 Uppal  
 Van Kesteren  
 Vellacott  
 Warawa  
 Watson  
 Sky Country)  
 Weston (Saint John)  
 Williamson  
 Woodworth  
 Young (Oakville)  
 Zimmer — 153

Mayes  
 McLeod  
 Menzies  
 Miller  
 Norlock  
 O'Neill Gordon  
 Oliver  
 Paradis  
 Penashue  
 Preston  
 Rajotte  
 Reid  
 Richards  
 Rickford  
 Saxton  
 Seeback  
 Shipley  
 Smith  
 Sorenson  
 Storseth  
 Sweet  
 Toet  
 Trotter  
 Tweed  
 Valcourt  
 Van Loan  
 Wallace  
 Warkentin  
 Weston (West Vancouver—Sunshine Coast—Sea to  
 Wilks  
 Wong  
 Yelich  
 Young (Vancouver South)

## PAIRED

## Nil

**The Speaker:** I declare the amendment lost.

[English]

The next question is on the main motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say ye.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the yeas have it.

*And five or more members having risen:*

• (1855)

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 77)

## YEAS

## Members

Ablonczy  
 Adler  
 Albas  
 Alexander

Adams  
 Aglukkaq  
 Albrecht  
 Allen (Tobique—Mactaquac)



## Government Orders

Allison	Ambler	Blanchette	Blanchette-Lamothe
Anders	Anderson	Boivin	Borg
Armstrong	Ashfield	Boulerville	Boutin-Sweet
Aspin	Baird	Brahmi	Brisson
Benoit	Bernier	Brosseau	Byrne
Bezan	Blancy	Caron	Casey
Block	Boughen	Cash	Charlton
Braid	Breitkreuz	Chicoine	Chisholm
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)	Choquette	Chow
Brown (Barrie)	Bruinooze	Christopherson	Cleary
Butt	Calandra	Coderre	Crowder
Calkins	Cannan	Cullen	Cuzner
Carmichael	Carrie	Davies (Vancouver Kingsway)	Davies (Vancouver East)
Chisu	Chong	Day	Dionne Labelle
Clarke	Clement	Donnelly	Doré Lefebvre
Davidson	Dechert	Dubé	Duncan (Etobicoke North)
Del Mastro	Devolin	Duncan (Edmonton—Strathcona)	Duscault
Dreeschen	Duncan (Vancouver Island North)	Easter	Eyking
Dykstra	Fantino	Foote	Freeman
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)	Garneau	Genest
Flaherty	Fletcher	Genest-Jourdain	Giguère
Galipeau	Gallant	Godin	Goodale
Glover	Goldring	Gravelle	Grogue
Goodyear	Gourde	Harris (Scarborough Southwest)	Harris (St. John's East)
Grewal	Harper	Hsu	Hughes
Harris (Cariboo—Prince George)	Hawn	Hyer	Jacob
Hayes	Hiebert	Julian	Kellway
Hoback	Hoeppner	Lamoureux	Lapointe
Holder	James	Larose	Latendresse
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)	Laverdière	LeBlanc (Beauséjour)
Keddy (South Shore—St. Margaret's)	Kent	LeBlanc (LaSalle—Émard)	Leslie
Kerr	Komarnicki	Liu	Mai
Kramp (Prince Edward—Hastings)	Lake	Marston	Martin
Lauzon	Lebel	Masse	Mathysen
Leaf	Leitch	May	McCallum
Lemieux	Leung	McKay (Scarborough—Guildwood)	Michaud
Lobb	Lukiwski	Moore (Abitibi—Témiscamingue)	Morin (Chicoutimi—Le Fjord)
Lumney	MacKay (Central Nova)	Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
MacKenzie	Mayes	Morin (Saint-Hyacinthe—Bagot)	Murray
McColeman	McLeod	Nantel	Nash
Menegakis	Menzies	Nicholls	Nunez-Melo
Merrifield	Miller	Pacetti	Papillon
Moore (Port Moody—Westwood—Port Coquitlam)		Patry	Péclat
Moore (Fundy Royal)		Perreault	Pilon
Nicholson	Norlock	Plamondon	Quach
O'Connor	O'Neill Gordon	Rac	Rafferty
Obhrai	Oliver	Ravignat	Raynault
Opitz	Paradis	Regan	Rousseau
Payne	Penashue	Sandhu	Savoie
Poillievre	Preston	Scarpaleggia	Sellah
Raitt	Rajotte	Simms (Bonavista—Gander—Grand Falls—Windsor)	
Rathgeber	Reid	Sims (Newton—North Delta)	St-Denis
Rempel	Richards	Sitsabaiesan	Stoffer
Richardson	Rickford	Stewart	Thibault
Ritz	Saxton	Sullivan	Tremblay
Schellenberger	Seebach	Toone	Valeriote — 120
Shea	Shipley	Trudeau	
Shory	Smith		
Sopuck	Sorenson		
Stanton	Storseth		
Strahl	Sweet		
Tilson	Toet		
Trost	Trotier		
Truppe	Tweed		
Uppal	Valcourt		
Van Kesteren	Van Loan		
Vellacott	Wallace		
Warawa	Warkentin		
Watson	Weston (West Vancouver—Sunshine Coast—Sea to		
Sky Country)			
Weston (Saint John)	Wilks		
Williamson	Wong		
Woodworth	Yelich		
Young (Oakville)	Young (Vancouver South)		
Zimmer — 153			

## NAYS

## Members

Allen (Welland)	Ashton
Atamanenko	Aubin
Ayala	Bélanger
Bennett	Benskin

Nil

## PAIRED

**The Speaker:** I declare the motion carried.  
(Bill read the third time and passed)

\* \* \*

## COPYRIGHT MODERNIZATION ACT

The House resumed from November 24 consideration of the motion that Bill C-11, An Act to amend the Copyright Act, be read the second time and referred to a committee, and of the amendment.

**The Speaker:** The House will now proceed to the taking of the deferred recorded division on the amendment at second reading of Bill C-11.

● (1905)

[Translation]

*Before the Clerk announced the results of the vote:*

**The Speaker:** Is the hon. member for Bas-Richelieu—Nicolet—Bécancour rising on a point of order or to indicate how he is voting?

**Mr. Louis Plamondon:** Mr. Speaker, I am in favour of the motion, but I believe my vote was not recorded.

(The House divided on the amendment, which was negated on the following division:)

(Division No. 78)

## YEAS

### Members

Allen (Welland)	Ashton
Atamanenko	Aubin
Ayala	Bélanger
Bennett	Benskin
Blanchette	Blanchette-Lamothe
Boivin	Borg
Boulrice	Boutin-Sweet
Brahmi	Brison
Brosseau	Byrne
Caron	Casey
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Christopherson	Cleary
Coderre	Crowder
Cullen	Cuzner
Davies (Vancouver Kingsway)	Davies (Vancouver East)
Day	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Etobicoke North)
Duncan (Edmonton—Strathcona)	Dussault
Easter	Eyking
Foote	Freeman
Garneau	Genest
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Grogan
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Hyer	Jacob
Julian	Kellway
Lamoureux	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	Mai
Marston	Martin
Masse	Mathysen
May	McCallum
McKay (Scarborough—Guildwood)	Michaud
Moore (Abitibi—Témiscamingue)	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Murray
Nantel	Nash
Nicholls	Nunez-Melo
Pacetti	Papillon
Patry	Péclét
Perreault	Pilon
Plamondon	Quach
Rac	Rafferty
Ravignat	Raynault
Regan	Rousseau
Sandhu	Savoie
Scarpaleggia	Sellah
Simms (Bonaville—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	
Sitsabaesan	St-Denis
Stewart	Stoffler
Sullivan	Thibault
Toone	Tremblay
Trudeau	Valeriote — 120

## NAYS

### Members

Ablonczy	Adams
Adler	Aglukkaq

## Government Orders

Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Anders	Anderson
Armstrong	Ashfield
Aspin	Baird
Benoit	Bernier
Bézan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooze
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chisu	Chong
Clarke	Clement
Davidson	Dechert
Del Mastro	Devolin
Dreesen	Duncan (Vancouver Island North)
Dykstra	Fantino
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)
Flaherty	Fletcher
Galipeau	Gallant
Glover	Goldring
Goodyear	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hoback	Hocppner
Holder	James
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
Leef	Leitch
Lemieux	Leung
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	O'Neill Gordon
Obhrai	Oliver
Opitz	Paradis
Payne	Penashue
Poilevre	Preston
Raitt	Rajotte
Rathgeber	Rcid
Rempel	Richards
Richardson	Rickford
Ritz	Saxton
Schellenberger	Seebach
Shea	Shipley
Shory	Smith
Sopuck	Sorenson
Stanton	Storseth
Strahl	Sweet
Tilson	Toet
Trost	Trottier
Truppe	Tweed
Uppal	Valcourt
Van Kesteren	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Sky Country)	
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Yelich
Young (Oakville)	Young (Vancouver South)
Zimmer — 153	

## PAIRED

Nil

**The Speaker:** I declare the amendment lost.



## Government Orders

\* \* \*

## BUSINESS OF SUPPLY

## OPPOSITION MOTION—CLOSURE AND TIME ALLOCATION

The House resumed from November 25 consideration of the motion.

**The Speaker:** The House will now proceed to the taking of the deferred recorded division on the motion.

● (1915)

(The House divided on the motion, which was negated on the following division:)

(Division No. 79)

## YEAS

## Members

Allen (Welland)	Ashton
Atamanenko	Aubin
Ayala	Bélanger
Bennett	Benskin
Blanchette	Blanchette-Lamothe
Boivin	Borg
Boulterice	Boutin-Sweet
Brahmi	Brisson
Brosseau	Byrne
Caron	Casey
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Christopherson	Cleary
Coderre	Crowder
Cullen	Cuzner
Davies (Vancouver Kingsway)	Davies (Vancouver East)
Day	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Etobicoke North)
Duncan (Edmonton—Strathcona)	Dussault
Easter	Eyking
Footé	Freeman
Garneau	Genest
Génest-Jourdain	Giguère
Godin	Goodale
Gravelle	Grogubé
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Hyer	Jacob
Julian	Kellway
Lamoureux	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	Mai
Marston	Martin
Masse	Mathysen
May	McCallum
McKay (Scarborough—Guildwood)	Michaud
Moore (Abitibi—Témiscamingue)	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Murray
Nantel	Nash
Nicholls	Nunez-Melo
Pacetti	Papillon
Patry	Péclet
Perreault	Pilon
Plamondon	Quach
Rac	Rafferty
Ravignat	Raynault
Regan	Rousseau
Sandhu	Savoie
Scarpaleggia	Sellah
Simms (Bonaville—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	
Sitsabaicsan	St-Denis

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Armstrong	Ashfield
Aspin	Baird
Benoit	Bernier
Bezan	Blaney
Block	Boughen
Braid	Breitkreuz
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Clarke	Clement
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Dykstra	Fantino
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## PAIRED

Nil

**The Speaker:** I declare the motion lost.

## ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[English]

### ABORIGINAL AFFAIRS

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, I am rising in the House this evening to request further information in response to a question that I asked previously in the House of the Minister of Aboriginal Affairs and Northern Development.

My previous question was whether the government would commit, now, to end the 2% cap on funding and provide full and adequate support for first nations education. The response that I received, which is the response that has been given continuously when the question is raised, was that there was a panel reviewing the matter of aboriginal education, and that we will wait and see what it will produce.

I have talked to many first nations leaders, members and elders since I assumed the post of official opposition critic on aboriginal affairs and northern development. The response has been the same from every leader, every member, every organization trying to further improve access to education for our first nations peoples. The response is simple. First nations children deserve the same access to education as all other Canadian children. The request that has been made is to end the 2% cap on funding.

It is the first anniversary of the government finally endorsing and signing onto the United Nations Declaration on the Rights of Indigenous Peoples. By that declaration, the government committed, under articles 14 and 15, to redress the historic injustices against the indigenous peoples of Canada.

In those specific articles, the government committed to take action to ensure that aboriginal children have equal access to education. That includes ensuring that the government of the day finally redress the fact that many first nations schools are condemned either because of infestation of snakes and rats or because of mould. These are the kinds of conditions that we expect in medieval times, not in the 21st century.

We have been hearing a lot on the news about the crisis of housing along Hudson Bay. This is the very same community where a campaign was led by a wonderful young Canadian. Shannen Koostachin started the campaign to ensure that the children in her community finally had a school they could go to. The sad story is that Shannen, in travelling to a school outside of her community, was

### Adjournment Proceedings

tragically killed in a car accident. The remarkable turnaround is that not only the children of her community but children right across the country have picked up the campaign, called “Shannen's Dream”, which is to bring quality education to all first nations children in this country.

So today again, I am asking the question, when will the government commit? Will it commit now, today, that it will end this discrimination, as it has committed to it internationally and not just to aboriginal children in this country?

● (1920)

**Mr. Greg Rickford (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, for the Canadian Northern Economic Development Agency and for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, I am pleased to rise in this debate, clearly, on behalf of the constituents of the great Kenora riding and more than 42 first nations communities in my riding where we have been making major inroads to education infrastructure, and we want to stay on that trajectory.

I am pleased, obviously, to rise to speak to the question put by the member for Edmonton—Strathcona about the education provided in band operated schools for first nations children living on reserve.

This government remains fully committed that first nations children achieve the same educational outcomes as other Canadians. This was a goal envisioned by Shannen Koostachin.

As part of our commitment to Shannen's dream, we are working to provide first nations children and youth with a safe and welcoming learning environment, so that they can reach their full potential and acquire the skills they need to enter the labour market and fully share in Canada's economic opportunities.

I am happy, also, to assure the hon. member that we have been extremely active in this regard. In March 2011 the Government of Canada, in collaboration with the Assembly of First Nations, confirmed the appointment of a national panel on first nations elementary and secondary schools. This engagement process would result in recommendations on how to enhance the elementary and secondary education systems and, importantly, the outcomes for first nations children living on reserve.

The panel has completed regional meetings throughout the country. Recently, the panel wrapped up its extensive hearings with its eighth and final round table on first nations education held here in Ottawa.

[Translation]

The panel will then present a report and recommendations to the Minister of Aboriginal Affairs and Northern Development and to the National Chief of the Assembly of First Nations on possible avenues for improving education for First Nations students. We are anxious to get the report and the recommendations from the panel, and we should have them by January.

The Department of Aboriginal Affairs and Northern Development invests about \$1.7 billion a year in education for First Nations, including \$1.4 billion for elementary and secondary education and over \$300 million for post-secondary education.



*Adjournment Proceedings*

Through targeted programs like the education partnerships program and the First Nation student success program, we are investing an additional \$268 million over five years and \$75 million in the following years to lay the foundation for long-term improvements to First Nations education.

[English]

I am pleased to report real progress on tripartite partnerships. Since 2008 we have signed five tripartite education agreements with the provinces of New Brunswick, Manitoba, Alberta, Prince Edward Island, Saskatchewan, and the Saskatoon Tribal Council. These join pre-existing tripartite partnership arrangements in British Columbia and Nova Scotia, with 40% of first nation children on reserve attending provincial schools. These partnerships are designed to help first nation students transfer between both school systems without academic penalty.

We also have a responsibility to treat taxpayers' money prudently, which is why Aboriginal Affairs and Northern Development Canada's approved annual growth rate for a bundle of basic services remains at 2%. However, the annual overall growth is larger, due to significant new investments made in priority areas through successive budgets since 2006.

Finally, this government continues to make long-term investments in priority areas to improve the quality of life and education for first nations.

• (1925)

**Ms. Linda Duncan:** Mr. Speaker, I would like to thank the parliamentary secretary for his reply. In response, I would like to share the words of a first nation student. It was included in a report called "Our Dreams Matter Too", presented to the United Nations Committee on the Rights of the Child. Wesley's message is this:

I'm writing this letter to you as a young native man with something to say about my education. I have attended kindergarten, elementary, and high school on reserve and I am aware of the differences between the education that I have received and the education that non-aboriginal off-reserve students have received. The lack of funding is a concern, the lack of resources is a concern, but the lack of cultural content in our school is the biggest concern for me.... I would like to see this change. I would like to see native aboriginal students treated and funded the same as any other non-aboriginal students because we are all students, we are all human, we are all equal and should be treated as such.

I ask the parliamentary secretary, when will we finally see equality for aboriginal children?

**Mr. Greg Rickford:** Mr. Speaker, clearly our government understands the importance of education and remains committed to ensuring that first nation students enjoy the same educational opportunities as other Canadians. First nation students are entitled to an education that not only encourages them to stay in school, but will also see them graduate with the skills they need to enter the labour market successfully and share fully in Canada's economic opportunities.

Budget 2011 reiterated this government's commitment to work in collaboration with the Assembly of First Nations on reform of first nations elementary and secondary education. We invest more than \$1.4 billion annually for elementary and secondary education. This includes investments of \$268 million over five years, and ongoing funding of \$75 million in each subsequent year for the education partnerships program and the first nation students success program.

In addition, budget 2010 provided a further investment of \$30 million in comparable education for first nations, starting in British Columbia where there is an advanced state of partnership between first nations and the province.

[Translation]

## ASBESTOS INDUSTRY

**Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP):** Mr. Speaker, on September 27, I asked a question of the hon. Minister of Industry. I will read it now to refresh our memories.

This government claims to want to create jobs by supporting the asbestos industry. In reality, it is exporting disease and death to countries that have inadequate labour health and safety standards. This position does not help the communities that are relying on a dying industry. The workers have suffered enough.

What is this government waiting for to show real respect for these people and to develop with them a transition plan to stimulate the economy in that region?

I asked that question in the House, and two months later, the Lac d'amiante mine in Thetford Mines and the Jeffrey mine in Asbestos are now closed. There is no more mining going on in the asbestos region.

My question from two months ago ended on this point: what is this government waiting for to show real respect for these people who are now out of work and to develop a transition plan with and for them?

Something else rather significant has happened recently. More and more elected officials no longer support exporting asbestos. That includes some Conservatives who, anonymously of course, have gone as far as admitting that they wanted to vote in favour of the motion the NDP moved in this House less than a month ago. That motion called for an end to mining and exporting the substance, and for an immediate transition plan to help all workers in the asbestos regions.

Other factors have been added to the mix in the past two months. A growing portion of Quebec civil society has changed its position on asbestos. For instance, the Coalition Pour que le Québec ait meilleure MINE and the Centrale des syndicats du Québec are calling on governments to compensate asbestos workers and their communities immediately—with the money that is supposedly being invested to help that industry recover—so that healthy, sustainable industries can be developed instead.

The Confédération des syndicats nationaux, or CSN, has committed to talks with other unions in order to propose a retraining schedule for people working in the asbestos industry, all with a view to initiating the necessary debates with both levels of government on banning asbestos.

Given the present circumstances, we have a historic opportunity to stop a commercial activity that exports disease and is very harmful to Canada's reputation. The government therefore needs to finance a transition plan, stop mining asbestos and agree to include the substance on the Rotterdam Convention. That is all.

Will the minister take advantage of this historic opportunity? If not, how can he justify a decision that will not create any jobs in the asbestos region? My question is not about asbestos handling policies, but about the future of the people in the asbestos region.

● (1930)

**Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services, for Official Languages and for the Economic Development Agency for the Regions of Quebec, CPC):** Mr. Speaker, as we have discussed many times in the House, the health and safety of Canadians are priorities for the Government of Canada. We want to ensure that workers across the country are protected, regardless of what sector they work in. Chrysotile is a naturally occurring mineral that has long supported a major mining sector in Quebec.

The Government of Canada has supported the controlled use of chrysotile in the country and abroad for over 30 years.

All those involved in the chrysotile industry, and more specifically in mining chrysotile, recognize that this substance can be dangerous.

That is why there are controlled conditions for mining chrysotile, and this is achieved through the enforcement of appropriate safety regulations.

The government has been clear, and its safety message has been widely shared throughout the world.

In Canada, exposure to chrysotile is controlled by regulations; workplace programs and practices; federal, provincial and territorial limits; and restrictions on certain categories of consumer products and products in the workplace under Canada's Hazardous Products Act.

Chrysotile is not present in consumer products that can break down and release dangerous fibres or dust.

When chrysotile is used industrially, its use is controlled by workplace health and safety regulations.

### *Adjournment Proceedings*

Our policies on chrysotile have the right goal: safe and responsible use.

In 1984, the governments of Canada and Quebec, working with the industry and unions, founded the Chrysotile Institute.

Since then, this non-profit organization has actively promoted the responsible, controlled use of chrysotile in Canada and abroad.

**Mr. François Lapointe:** Mr. Speaker, I would like to have an answer to just one very specific question. Can the hon. member confirm that the position he just described, which we have heard 30, 100, 150 times in the House and which the hon. member expanded on a bit this evening—will this position on a hypothetical way of using asbestos create a single job tomorrow morning in the Asbestos region? I would just like to get a clear and frank answer to this very simple question.

**Mr. Jacques Gourde:** Mr. Speaker, chrysotile is the only asbestos fibre produced and exported by Canada.

Canada has long supported the approach of a controlled use of chrysotile.

Over the past 30 years, the federal government has promoted the controlled use of chrysotile nationally and internationally, and we will continue to do so.

We strongly believe that the health risks associated with mining chrysotile and with the manufactured products containing chrysotile, can be managed under regulated and controlled conditions.

Thanks to the Chrysotile Institute, Canada has worked with countries that produce and use chrysotile on effectively implementing regulations on controlled use.

I want to assure the House that, in terms of using chrysotile, our government approach's is a responsible one.

● (1935)

**The Acting Speaker (Mr. Bruce Stanton):** The motion to adjourn the House is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 7:36 p.m.)





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HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Tuesday, November 29, 2011**

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**Speaker: The Honourable Andrew Scheer**



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# HOUSE OF COMMONS

Tuesday, November 29, 2011

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

● (1005)

[*English*]

### GOVERNMENT RESPONSE TO PETITIONS

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to 10 petitions.

\* \* \*

### COMMITTEES OF THE HOUSE

#### NATURAL RESOURCES

**Mr. Leon Benoit (Vegreville—Wainwright, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the first report of the Standing Committee on Natural Resources.

In accordance with the order of reference of Thursday, November 3, your committee has considered votes 1(b), 5(b), 10(b), 15(b), 20(b), 25(b) and 30(b) and agreed on Monday, November 28, to report it without amendment.

\* \* \*

### HOLIDAYS HARMONIZATION ACT

**Ms. Chris Charlton (Hamilton Mountain, NDP)** moved for leave to introduce Bill C-364, An Act respecting the harmonization of holidays.

She said: Mr. Speaker, it is my great pleasure to introduce a bill respecting the harmonization of holidays. This proposed enactment would entitle employees under federal jurisdiction to all the general holidays observed in the province in which they work.

A few years ago, the Ontario government created a new holiday known as Family Day. Employees in federally regulated workplaces in Ontario, however, are not currently entitled to that provincial holiday. As a result, we find ourselves in the curious situation where a worker in the federally regulated courier sector, for example, is forced to try to deliver packages to retail businesses that are closed because of the provincial holiday. Moreover, these workers are not

able to share the holiday with their family and friends despite the fact that they, too, work in Ontario. My bill would end this unintended disconnect between federal and provincial laws by entitling employees in federally regulated workplaces to all of the general holidays that are recognized in the province in which they work.

I will conclude by thanking Shaun Flannery from my riding of Hamilton Mountain for first bringing this issue to my attention. I met him while I was knocking on doors in his neighbourhood and I am delighted to be able to table this bill for him and for all the workers under federal jurisdiction who would benefit from this enactment.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

[*Translation*]

### COMPETITION ACT

**Mr. André Bellavance (Richmond—Arthabaska, BQ)** moved for leave to introduce Bill C-365, An Act to amend the Competition Act (inquiry into industry sector).

He said: Mr. Speaker, the Bloc Québécois is back with this bill. During the previous Parliament, my former colleague and the member for Shefford, Robert Vincent, introduced this bill. This is not the first time. This bill would give the Competition Bureau more teeth. Right now, there needs to be a complaint before the Competition Bureau will investigate price fixing by oil companies. There have been some striking examples of this, particularly in my region, in Victoriaville, but also in the surrounding area, in Thetford Mines, Sherbrooke, the Eastern Townships and all over. People have been found guilty of fixing the price of gas.

We want the Competition Bureau and police forces to have the power to conduct investigations without the need for a complaint. Back home, there was a complaint and there were some very good results: charges were laid in June 2008 and July 2010 against 38 people and 14 companies for fixing prices at the pump. This happened in Victoriaville, Thetford Mines, Magog and Sherbrooke. Eleven individuals and six companies pled guilty in this case, and they received fines totalling nearly \$3 million. Of the 11 people who pled guilty, six were given prison sentences that added up to a total of 54 months in prison. A complaint was necessary for this to happen.



*Privilege*

The purpose of this bill is to allow the Competition Bureau to use its expertise to initiate investigations without the need for a complaint. I think that this would greatly improve the situation with gas price fixing.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

• (1010)

[English]

**PETITIONS****PROTECTION OF CHILDREN**

**Mr. Dean Allison (Niagara West—Glanbrook, CPC):** Mr. Speaker, I would like to bring to the attention of the House a petition I received that calls upon Parliament to enact stronger legislation to deal with child sexual abuse. Statistics show that 39% of those who possess child sexual abuse materials have images of children between the ages of 3 and 5 and 83% have images of children between 6 and 16 being sexually assaulted.

Section 163 of the Criminal Code currently allows sentences as little 90 days for making criminal child sexual material and only 14 days for the possession of criminal child sexual materials.

Well over 5,000 signatories of this petition are requesting stronger mandatory minimum sentences that would protect children, provide justice and deter pedophilia.

I should add in closing that the Canada Family Action, which is sponsoring the petition, applauds our government for addressing the issue in a meaningful way with our crime legislation, Bill C-10, which is currently before the House.

[Translation]

**CRIME**

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Mr. Speaker, I rise today to present a petition on Bill C-10 that has been signed by Canadians across the country.

[English]

Bill C-10 is the omnibus crime bill. The petitioners say that it crudely bundles together too many pieces of unrelated legislation, some of which makes sense and some of which does not. There is also a big problem with its implementation because Ontario and Quebec may refuse to pay for the costs of some of the measures in this bill that would be downloaded to them.

The petitioners call upon Parliament to separate Bill C-10 into its pieces and allow members to vote on each part separately.

**SAFE STREETS AND COMMUNITIES ACT**

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I rise to present a petition today from Canadians, primarily from the Montreal and Ottawa areas, also concerned with Bill C-10, making the same point, that we have nine separate bills put together into this omnibus crime bill, the so-called safe streets and communities act, that many petitioners believe will not deliver safe streets in communities.

The petitioners ask that this House consider separating Bill C-10 into its component parts so that each part can be dealt with separately.

I present this petition in hopes that this House will still come to its senses and not pass the omnibus crime bill as drafted.

**CANADIAN WHEAT BOARD**

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, with pleasure I present this petition on behalf of prairie farmers. Their desire was to address it to the Minister of Agriculture and Agri-Food. The petitioners are requesting that he honour the democratically expressed wishes of western Canadian farmers.

We are all aware of what took place yesterday when Bill C-18 passed, which disagreed with what the prairie farmers were actually requesting. However, the petitioners still felt that it was important to table this petition so the Minister of Agriculture and Agri-Food would be aware of the fact that most farmers did not support Bill C-18.

\* \* \*

**QUESTIONS ON THE ORDER PAPER**

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I ask that all questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

**The Speaker:** I understand that the member for New Brunswick Southwest will be responding to the question of privilege.

\* \* \*

**PRIVILEGE****TELEPHONE CALLS TO MOUNT ROYAL CONSTITUENTS**

**Mr. John Williamson (New Brunswick Southwest, CPC):** Mr. Speaker, I rise today to respond to the supposed question of privilege from the hon. member for Mount Royal which was raised on November 16 and 23, along with the submissions made by the hon. member for Windsor—Tecumseh. I appreciate the time you have allowed to return with a response.

For the reasons I will put before you, Mr. Speaker, I believe you will find that there is no basis to conclude a prima facie breach of privilege has taken place.

[Translation]

The question at hand is related to the identification of voters by the Conservative Party of Canada in the riding of Mount Royal.

As members are aware, every political party in the House identifies its voters in one way or another. This is an important part of the political process. Talking to Canadians, discussing issues with them and asking them if they support our party is nothing new.

Ultimately, the resources used to make these calls did not belong to Parliament or to the government; they belonged to the Conservative Party.

● (1015)

[English]

To be clear, in no way was any parliamentary resource or time used to conduct a routine political activity. We are aware of numerous circumstances where the Liberal Party of Canada was, prior to the last election, making voter identification calls in various ridings across the country targeting seats held by Conservative members of Parliament.

I will also add that, at that point, the election timing was entirely speculative, there not being an election called or scheduled until after all the opposition parties joined together and voted on March 25 for an unnecessary early election. Did those calls impinge on the work of the sitting members? Did those calls prevent the MPs from doing their jobs? No, absolutely not. This is exactly what a political party is supposed to be doing: targeting ridings they believe can eventually be won.

The hon. member for Mount Royal indicated that his ability to do his job as a representative of the riding because of these calls was undermined. This is simply not the case. As the hon. member noted, he has many bills and motions on the Order Paper and Notice Paper. Moreover, I am told that he has been very active in recent meetings of the Standing Committee on Justice and Human Rights. Clearly, his work in this place has not been impeded in this regard.

Moreover, members have numerous tools provided by taxpayers to communicate with constituencies as a result of being elected to Parliament. These include householders and ten percenters, among other tools. Finally, a member of the House can simply make a statement to the press, which is what the hon. member did in this case to ensure his constituents are aware of his intentions. As well, he penned an op-ed in yesterday's *Montreal Gazette* to inform voters of the work he is doing on their behalf. I was impressed by the volume of his work and I am sure they were too.

It may be helpful to draw the Chair's attention to other cases of rumoured byelections.

[Translation]

In 2003, during the New Democratic Party's leadership race, Jack Layton did not have a seat in the House of Commons. On Friday, January 10, 2003, the *Toronto Star* wrote that Mr. Layton had not ruled out the possibility of holding a byelection in Ottawa Centre. The problem is that no byelection was held in Ottawa Centre. Yet, the *Toronto Star* wrote that Mr. Layton had not ruled out the possibility of a byelection to fill this empty seat.

The Liberal member representing Ottawa Centre at the time, who is today a Liberal senator, Mac Harb, never raised a question of privilege. He never said that his rights as a member of Parliament had been violated, and for good reason: his rights were not violated. Mr. Layton was merely responding to rumours that the Liberal member might soon be stepping down.

[English]

Mr. Speaker, I will draw your attention to a line that appeared in a recent news article from *iPolitics* with respect to the claims advanced by the hon. member for Mount Royal. It appeared on its online news site on Wednesday, November 16. It stated:

### Privilege

While [the member for Mount Royal], who has an international reputation for his human rights work, has often been rumoured to be on the brink of quitting as an MP, in an interview with *iPolitics*, [the member for Mount Royal] said he has no plans to quit and has not been offered any positions or appointments.

[Translation]

I want to repeat that. The hon. member "has often been rumoured to be on the brink of quitting as an MP".

[English]

I will repeat that again. The hon. member has "often been rumoured to be on the brink of quitting as an MP".

I will restate the essentials. The Conservative Party calls people for the purpose of voter identification. It is an important part of the job of any political party to ask Canadians if they support the party in the event of an election or byelection. The hon. member has often been rumoured to be on the brink of quitting. It is hardly an intolerable leap to insert this in a call script to identify potential voters.

This is not a *prima facie* breach of his privileges or the collective privileges of the House. It is, in fact, routine political discourse. For members to find this objectionable is to be shocked, shocked to find gambling going on in this establishment. Some members might be stunned by routine political activity conducted by all political parties, or at least the successful ones, but that indignation is no more surprising than Captain Renault's feigned anger in *Rick's Cafe*.

I should correct myself. This activity did not happen in this establishment and was not done by anybody affiliated with Parliament or under the Speaker's supervision.

Mr. Speaker, I would ask you to be cognizant of free and robust dialogue and democratic activities enjoyed in Canada in respect of the election of members, whether it be as a candidate, a partisan or a voter, when you come to your decision.

● (1020)

[Translation]

Mr. Speaker, I would ask you to be cognizant of free and robust dialogue and democratic activities enjoyed in Canada in respect of the election of members, whether it be as a candidate, a partisan or a voter, when you come to your decision.

To find a *prima facie* question of privilege in these circumstances would, I suggest, place an unreasonable and unacceptable chill over political discourse in this country, and therefore should only be done in the most extraordinary of circumstances. Those circumstances are not present here.

[English]

To find a *prima facie* question of privilege in these circumstances would, I suggest, place an unreasonable and unacceptable chill over political discourse in this country, and therefore should only be done in the most extraordinary of circumstances. Those circumstances are not present here.

Accordingly, Mr. Speaker, I believe you will agree that it is clearly not a matter that the House should consider further given that there was no breach here whatsoever, and that you should rule that there is no basis for a *prima facie* breach of privilege.



*Privilege*

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, if you would look at my statement on this question privilege, I said that I had no problem with people engaging in voter identification. I said I understood the practice of outreach. I said I understood that political parties, including ours, engage in issues of voter identification.

The issue is not that because of the calls themselves my work was impeded, calls regarding voter identification and the like. It was that in the course of those calls, my work became impeded by the false and misleading information contained in those calls. That is something very different.

The constituents were not asked, “Do you support or would you support the Conservative Party in a general election?” I could understand that, even though we just had a general election six months ago, but in the realm of political discourse, I could understand voter outreach being done all the time. That is fine. However, that is not how it was put.

My constituents were asked, “Will you support the Conservative Party in the pending or imminent byelection?” There is a fundamental difference. This is not normal political discourse, as the hon. member said. Clearly, this is false and misleading information because there is no pending or imminent byelection. When my constituents replied, “What byelection? We don’t know of any byelection”, they were told that the member for Mount Royal had resigned or is about to resign.

That clearly comes within the breach of privilege of sowing confusion in the minds of the voters. It clearly comes within the breach of privilege with respect to prejudicing my standing with the electorate and not only causing confusion, but impeding my work because of the flood of phone calls and emails, et cetera, that my office received. People are asking about this pending byelection and when this imminent byelection was to take place. They are saying, “We didn’t know that the member for Mount Royal was stepping down,” or, “We didn’t know that he has already stepped down”. That is fundamentally different.

The fact is there may have been rumours, but after 12 years I am still here. In that article he quoted, I said that those rumours have been going on for 12 years. The fact that it emanates very often from the members opposite is something else. They are rumours. Rumours are rumours. I will just say that people can repeat rumours, but it is fundamentally different from a rumour to call constituents in a systematic way and specifically target those constituents, with the effect of sowing confusion in the minds of the electorate, impeding the member in the performance of his functions, and causing prejudice to his standing within the riding. These calls have not abated.

It is important that such a practice cease and desist. I do not think any member of this House should be subjected to those kinds of calls. It is not a matter of the party, although I will say that the former candidate in the riding of Mount Royal when asked if he was involved with this, said, “No, I had nothing to do with it. It was the party. It was the Conservative Party”. The Conservative candidate identified the Conservative Party as being involved. I believed him when he said he was not involved. I equally believed him when he said that the Conservative Party was involved. He identified the party.

Leaving that aside, the whole point here is that this was not in the course of normal outreach. This was a form of prejudicial misrepresentation of false and misleading information. As I said, it falls squarely within the criteria, and we quoted principles and precedents, as to what constitutes a breach of privilege. This is not chilling political discourse for you to rule, Mr. Speaker, that it was a breach of privilege; this will chill false and misleading information that tends to corrupt the political process.

That kind of constraint should be placed so that no member in the House should be subjected to false and misleading information. Again, it was not held out as a rumour. It was stated as a fact, a false fact, but it was held that the member had resigned or was about to resign.

There is not a byelection to be held at some point, as I said, let alone a general election. They were talking about a byelection. They said that a byelection is pending; a byelection is imminent. There was a series of ongoing false, misleading, prejudicial misrepresentations.

● (1025)

I think the Speaker should rule that it is a breach of privilege, not simply in my case, but to protect all members of the House from such false and misleading statements and innuendoes that should not be made inside or outside the House which could prejudicially affect members of Parliament.

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, I have spoken once before on this question of privilege. However, after hearing the Conservative member and now the member from the Liberal Party, whose question of privilege this is, I want to draw to your attention the complaint which came from the member for Windsor West with regard to a ten percenter, because I think it is exactly on point and fully supports the argument we just heard.

In that case, it was a member from the Conservative Party who had sent a ten percenter, which of course is no longer allowed, into the riding of Windsor West accusing the member for Windsor West of supporting a particular position. I think it was on a crime bill. The person who sent it was Monte Solberg. At the time I think he was a minister, but if not, he was certainly a member of the Conservative Party. In the ten percenter he accused in very strong language the member for Windsor West of supporting a particular position. In fact, it was a position I had taken as the member for Windsor—Tecumseh. The member for Windsor West had not taken a position on it. I think he was on the other side of the issue at the time. The material that went into the riding in the form of the ten percenter was false and misleading in terms of the position that the member for Windsor West had taken, although he may not have taken any position at all.

It is exactly the same situation here. The allegations we have heard have been confirmed. I do not think there is much of a dispute over the facts. The phone calls were clearly false and misleading as to whether the member was going to retire or in some respect was leaving his position. As was the case with the member for Windsor West, that does have a negative impact on the member's ability to perform his duties. The same thing happened. There were all sorts of emails, letters and phone calls to his office asking why he had taken this position, when in fact he had not. That is a direct interference. It is false, misleading and has a negative impact on the ability of the member of Parliament to do his or her job.

The ruling by Speaker Milliken is exactly on point with the situation we have here. Therefore, Mr. Speaker, I would urge you to make a decision that would find a *prima facie* case. Let us investigate it at the procedure and House affairs committee. Let us deal with it in an appropriate fashion, as we did in the other case.

There were repercussions with regard to Mr. Solberg in terms of having to apologize, et cetera. The same thing needs to be done in this case.

● (1030)

[Translation]

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, I do not want to repeat all the arguments that have just been made by the member before me and the member affected by this, the member for Mount Royal, however, I am extremely disappointed that the Conservative member who defended the Conservative Party's position in this matter did not have the class to say it was a mistake to do that. Instead of that, he justified the use of this tactic.

When I do something my wife finds unpleasant, and that is very rare, she asks me to put myself in her position. So I ask all the members here present, from all the parties, particularly the Conservative member who just spoke and his Conservative colleagues, to put themselves in the position of the member for Mount Royal.

In his riding, people are organizing and making telephone calls and doing polling, among other things, and clearly saying there is going to be a byelection. So that means the sitting member is getting ready to leave. Obviously this is a breach of the member's privileges, as I said the first time I spoke to this subject not so long ago, since a person or a company or an organization that wants to do business with their member and has a project in hand will wonder whether it is worth the trouble to go and meet him to get help with their project, since they have heard that the member might not be there soon. It spreads like wildfire and the media seize hold of it. Because of a few telephone calls, everyone is persuaded that the member is going to be leaving.

Obviously this interferes with how the member works. He has to answer all these questions in the media. He has to answer the voters. He goes to evening functions. We all do it. That is how we spend our time on weekends and during break weeks. We take part in a variety of activities, for example at senior citizens' clubs. I am sure that the member for Mount Royal is getting asked whether it is true that he is going to be leaving, because people have received a call about this. He spends his time refuting that argument, when he should be spending his time working on issues as we all do.

### *Privilege*

I heard absolutely nothing from the Conservative member to say it was unacceptable to do this. If we accept this in the case of the member for Mount Royal, it will be accepted for everyone here. I have a team of several volunteers who make telephone calls. They could spread rumours about the Minister of Industry in the neighbouring riding and say that he is leaving because he has been offered a post as ambassador. I do not want to do it; I am just saying that this must not become a precedent.

[English]

**Mr. John Williamson (New Brunswick Southwest, CPC):** Mr. Speaker, I want to make a couple of points.

First, the ten percent program falls within the purview of Parliament. Activities by political parties do not.

Second, members seem to be concerned about the tactics of political parties to identify votes or to win votes. Again, I submit this is of no business to the House.

Third, in this case with the hon. member, there is talk that he has put the situation to rest, and I accept that. But it is not unreasonable in a political discourse to have heard that and for it to be inserted into a script or used to explain why there are calls.

Good, strong political parties are ready for elections at any time. They will conduct work throughout the years, in this case four years, and not just wait until four weeks before the next election.

It is important that we separate these activities from the business of Parliament and the business of political dialogue outside this chamber that is legitimate and appropriate.

● (1035)

**Hon. Irwin Cotler:** Mr. Speaker, I think I should respond to the supplementary remarks of my colleague.

**Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.):** Mr. Speaker, I am sure you will recognize the member for Mount Royal for closing summation comments.

I want to be very clear that the actions that occurred in the electoral district of Mount Royal are irrefutable. They are vile, corrupt and anti-democratic, and they happened. They happened in a way that was very consistent with previous actions of the Conservative Party of Canada using House resources to conduct a negative and false message targeted at a particular electoral district and a particular member of the House.

A professional polling firm, a corporate entity does not undertake this activity because of its own political philosophy or own personal actions. It does so for remuneration. Someone paid a company to conduct a false poll, a push poll, in the guise of a public relations survey, to convey a false message to the electors within the Mount Royal district.

There has been past activity which outlines that House resources were used to conduct that activity. That is irrefutable. What is also irrefutable is that this particular survey could just as easily have been conducted through one of two means. It could have been conducted using the research budgets of the Conservative Party of Canada, or through a subsidy from taxpayers.



*Privilege*

The bottom line is that it is not acceptable to any member that we simply whistle past the graveyard and ignore this issue. Mr. Speaker, there are precedents and rulings that if you were simply to find the basis for an investigation to find out the truth, not to whistle past the graveyard, given the fact that there is past activity which supports the notion that House resources were used to do this type of activity, that House resources could now be used to conduct this type of vile activity. To not refer this to committee, to not find a *prima facie* case of privilege in my opinion would be an offence to the House. We simply cannot walk past the graveyard on this. It is incumbent upon all of us to protect the rights of individual members.

I call on you, Mr. Speaker, to do the right thing and allow this matter to be properly vetted. Do not let even the perception or the reality of House resources, of the people's resources, be used for a false, corrupt message, which betrays the true character and integrity of a member of this House. It would be unacceptable.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, when I made reference to examples where personal privileges had been found to be violated they were not limited to the kinds of examples the hon. member for New Brunswick Southwest put forward. They were not limited to householders or matters within the purview of this House. They included misleading advertising in newspapers. Anything that leads to confusion about the role of a member of Parliament is against our principles and constitutes a personal privilege being breached.

I want to reinforce that what I heard from the member for New Brunswick Southwest falls short of a satisfactory response to this question of privilege.

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, the member for Mount Royal, in addressing the suggestions that there would potentially be a by-election in his constituency, has used some very strong language to describe these as misleading, wrong, untrue.

However when we go back to the original arguments the member made, we will recall that he said people received these calls and they were perplexed. They of course asked the question, "Why are you calling me?", a reasonable question to ask in the circumstances, since he is here.

The response that was given by the callers was, as the member said, that there was a possibility, rumours or suggestions that there would be a by-election. Well that response was, very interestingly, the truth.

What he is asking you, Mr. Speaker, to do here is prevent people from being able to speak the truth. When they were asked "Why are you making this call?", "There are rumours that there might be a by-election" was the true answer.

That is what prompted the political activity. It is something that he himself acknowledges has been out there, has been present for some 12 years. We are not talking about the past couple of weeks; we are talking about years and years.

Clearly, the basis for them answering the truth when asked that question is most reasonable. It is a reasonable part of speech. In this case what the Speaker is being asked to do is extraordinary. The Speaker is being asked to reach far outside this House, to make a

ruling that will affect every single Canadian. It will affect Canadians' freedom of speech, their ability to speak their minds, their fundamental charter rights and their fundamental democratic rights. That ruling would say that they are not able to comment or speculate on whether the member would be leaving his seat and whether there might be a by-election.

I think about the programs that I watch and the news stories that I read. There are continually items of speculation on whether particular individuals in this House might leave, might leave early, might retire or might resign.

Were you, Mr. Speaker, to find favour with the point as the member for Mount Royal is asking, you effectively would be making that type of speech illegal, as it would affect or offend the privileges of every member of Parliament if it ever happened. It is like putting the special cloak of protection around parliamentarians, insulating them from normal political and journalistic discourse.

Let us think of the logical outcome were you, Mr. Speaker, to find favour with the member for Mount Royal's suggestions. A political pundit might go on a panel on a television show and say, "We have heard that the member for York—Simcoe may want to return to the private sector soon. It is more lucrative anyhow. So there is going to be a by-election in that riding, maybe."

All of a sudden, that pundit, having speculated on that, is going to be found to have offended the privileges of the member, subject to a contempt of Parliament ruling, subject to the fairly extreme potential consequences that are available to the Speaker in that case. That seems to be very unreasonable.

The same would apply to any journalist who would engage in that kind of speculation, entirely normal freedom of speech and expression. The member for Mount Royal is asking the Speaker to suppress that. That is the logical outcome of his request.

There are fundamental rights that exist in a democracy. I can understand his concern about his privileges being offended, but to say that one cannot speculate on his future, that that form of freedom of speech should forever be suppressed, is to me an overreach that is far too great. It really reflects more his insecurity than a confidence in the robustness of our democracy, of our long political traditions.

I would be very concerned, Mr. Speaker, were you to go down that path and suppress democratic activity, suppress the freedom of speech, not just of political parties but of every single individual outside this place. It would, in effect, say to them that somehow we are beyond their ability to speculate or talk about, because if they say anything negative about our performance, if they say that we might leave, that we have other plans or that we are not working hard enough, they are somehow offending our privileges.

The member said that people are saying that, as he is leaving, he is not working hard enough and not doing things for them. People say that about members of Parliament every single day. Some people say it about every single one of us, that we are collectively not working hard enough.

That should not be found to be a breach of our privileges. That should be part of our challenge every day in this House and outside this House. That should be addressed as part of normal democratic discourse.

Mr. Speaker, I would caution you very strongly against taking the invitation that has been presented to you.

• (1040)

Chilling that freedom of speech and democratic discourse that exists in our society to allow members of Parliament to somehow be insulated from criticism of their performance and speculation of their jobs by anybody out there would be overreaching and unprecedented in my view. When this matter was first raised, I somewhat jokingly said that it was quite evident the member was still here. I do not think anybody is disputing that.

Sir John A. Macdonald, in his ear, faced this on a regular basis, almost every year. It was published in *The Globe* by George Brown, the proprietor and a member of the legislature, that his departure was imminent. Obviously, that did not happen for many decades, but it was published all the time.

Sir John A. Macdonald, in the greatest tradition of democracy, understood it to be part of normal discourse. We have seen no evidence that there were any concerns raised that his privileges were offended. He was willing to go out and address it by doing his job, and being part of the democratic process.

The fact is that this has been going on as long as politics in this country. It is a normal part of politics in this country and it is not a kind of speech that should begin to be chilled at this point.

• (1045)

**The Speaker:** I will allow the member for Mount Royal to respond and then I think we will move on.

**Hon. Irwin Cotler:** Mr. Speaker, I will respond to the two interventions from the other side.

Some references were made to ten percenters. Mr. Speaker, your predecessor ruled that there was a *prima facie* breach of my privileges because of false and misleading ten percenters that were targeting households in my riding, at that time targeting only the Jewish households in my riding.

It is part of a pattern. I know the Conservatives covet the riding. I know they would like to win the riding of Mount Royal, but they have to do so on their merits, not by false, misleading, and prejudicial information as took place in the ten percenters, which your predecessor ruled was a *prima facie* breach of privilege, and with a repetition now with these false and misleading phone calls.

This is not a question of rumours of a byelection. We are all subjected to that kind of thing. People in my riding or in any riding might be asking their member, "I heard you might be resigning" or "I heard you might be going elsewhere", or whatever. That is part of constituents sometimes asking a legitimate question to their member of Parliament. This is not what is being asked here.

These are constituents who have been told, in false and misleading phone calls, by an agency supported by the Conservative Party that there is an imminent byelection and that the member has resigned or

### Privilege

is about to resign. It is not people coming up to me and saying they heard rumours as is part of the normal give and take. However, I should not have to be back in my riding this weekend and have people coming up and saying they were called and told that I had resigned or that they were called and told that there is an imminent byelection going on.

Under the principles of breaches of privilege, that is what is called "sowing confusion in the minds of the electorate". That is what is called "impeding the member of Parliament in the performance of his duties".

I can speak with my constituents in regard to rumour, but not when they are telling me that they are getting calls making statements of fact, when these are not statements of fact but false and misleading misrepresentations of fact. That is the fundamental difference. This is not a matter of chilling speech. The opposite member elevated this to absolute freedom of speech.

If we look at our whole constitutional law in this country, there is no such thing as absolute freedom of speech. We have laws with respect to limitations on speech with regard to perjury, so people can have a right to a fair trial. We have limitations on false and misleading advertising, directly on point, so the consumer can be protected against false and misleading advertising. We have laws against obscenity, so people can be protected with respect to their human dignity. I can go through the whole law of free speech. I happen to have a certain degree of expertise, having written on it and pleaded it before the Supreme Court.

This has nothing to do with free speech. This has everything to do with false, misleading, and prejudicial information held out in a representation to constituents and held out as if it were a statement of fact, clearly causing prejudice and clearly undermining the role of the member.

If the members opposite say that they are happy to see that I am very active and involved, yes I am active and involved. That is our responsibility as members, to be active and involved.

However, when constituents believe not only that we are not active and involved but that we are not even a member anymore, that we have stepped down or are about to step down, this transforms the entire relationship between the member and his or her constituents.

Equally, when I was asked this past weekend, after my constituents had heard that I had stepped down, I began to tell them about some of the things I was doing with respect to Bill C-10 in this House, which is somewhat ironic that we are speaking on this today or maybe not so ironic that we are supposed to enter into a discussion on Bill C-10. It is a nice diversionary approach on the government's part. However, let us leave that aside.

The point is that the members of my riding were not aware of the work that I have been doing and that was precisely what I said in my point of privilege. It is not only false and misleading but it overtakes and overshadows, and effectively obscures, if not excises, the work that I am doing and the opportunity to engage in what the government has called political dialogue. I would love to be in political dialogue. I do not mind criticism. I do not mind voters coming up and saying, "Your position on Bill C-10, we totally disagree with it".



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● (1050)

That is fine. That is fair comment. That is fundamentally different from a voter coming up to me and saying, "How come you are not even involved on Bill C-10? You are not even there". That is where the prejudice is: the reduction of the member of Parliament as if he is no longer a functioning member of Parliament.

There is no knowledge of all the work that I have been doing in the last two weeks, whether it was standing in the House to speak to Bill C-304, a private member's bill on the issue of freedom of speech and hate speech, where I thought the intervention was important, or that I have undertaken the representation of an Egyptian blogger, a leader in the Tahrir revolution, now being played out in Egypt, to have been imprisoned for allegedly insulting the Egyptian military, a rather dramatically important case. My constituents had no knowledge of that. When I held a press conference in that case, the questions that I was asked by journalists were, "Are you resigning? Have you resigned? Is there a byelection?"

Therefore, it did interfere with my work. It interfered in my exchanges with the media. It interfered with my exchanges with my constituents. It interfered with the public perception of the work in which I was engaged.

I want to conclude by saying that there is no suggestion here that any speech be chilled or suppressed. What is suggested here is that I practised a misconduct that misrepresents matters that relate directly to the performance of members in their duties as members of Parliament.

To say that it does not address what is being done in this House, it addresses the capacity of members, not only me, to perform their duties in the House and as members of Parliament when outside the House with their constituents, among the public, the media and the like.

It has a pervasive and persistent prejudicial fallout impeding, if not prejudicing, the members in the performance of their duties. It comes directly within all the principles and precedents that I cited in my two statements respecting the request for a prima facie finding of a breach of privilege.

**The Speaker:** I thank the hon. member for his further interventions. I will take all the points made under advisement and come back to the House in due course.

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## GOVERNMENT ORDERS

### SAFE STREETS AND COMMUNITIES ACT

The House proceeded to the consideration of Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, as reported (with amendments) from the committee.

[English]

## SPEAKER'S RULING

**The Speaker:** There are 88 motions in amendment standing on the notice paper for the report stage of Bill C-10.

[Translation]

Motion No. 58 will not be selected by the Chair, because it requires a royal recommendation.

Motions Nos. 4, 6, 10, 12, 14, 19, 54, 60, 61 and 88 will not be selected by the Chair, because they could have been presented in committee.

Motions Nos. 3, 7, 9, 11, 13, 15 to 18, 37, 40, 42, 44, 46, 48 to 50, 52, 55 to 57, 59, 63, 72, 74, 75 and 79 will not be selected by the Chair, because they were defeated in committee.

[English]

All remaining motions have been examined and the Chair is satisfied that they meet the guidelines expressed in the note to Standing Order 76.1(5) regarding the selection of motions in amendment at the report stage.

The motions will be grouped for debate as follows.

[Translation]

Group No. 1 will include Motions Nos. 1, 2 and 5.

[English]

Group No. 2 will include Motions Nos. 20 to 36, 38, 39, 41, 43, 45, 47, 51, 86 and 87.

● (1055)

[Translation]

Group No. 3 will include Motions Nos. 53, 62 and 64 to 69.

[English]

Group No. 4 will include Motions Nos. 70, 71, 73, 76 to 78, 80 and 81.

[Translation]

Group No. 5 will include Motions Nos. 82 to 85.

The voting patterns for the motions within each group are available at the table. The Chair will remind the House of each pattern at the time of voting.

I shall now propose Motions Nos. 1, 2 and 5 in Group No. 1 to the House.

[English]

## MOTIONS IN AMENDMENT

**Mr. Jack Harris (St. John's East, NDP)** moved:

That Bill C-10 be amended by deleting clause 1.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP)**, seconded by the member for Bas-Richelieu—Nicolet—Bécancour, moved:

That Bill C-10, in Clause 2, be amended by adding after line 10 on page 3 the following:

"“terrorism” includes torture.

"torture" has the meaning given to that term in article 1, paragraph 1 of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment."

[Translation]

**Hon. Irwin Cotler (Mount Royal, Lib.)** moved:

That Bill C-10, in Clause 2, be amended by adding after line 6 on page 5 the following:

"(6) In any action under subsection (1), the defendant's conduct is deemed to have caused or contributed to the loss of or damage to the plaintiff if the court finds that

(a) a listed entity caused or contributed to the loss or damage by engaging in conduct that is contrary to any provision of Part II.1 of the Criminal Code, whether the conduct occurred in or outside Canada; and

(b) the defendant engaged in conduct that is contrary to any of sections 83.02 to 83.04, 83.08, 83.1, 83.11, or 83.18 to 83.231 of the Criminal Code for the benefit of or otherwise in relation to that listed entity."

[English]

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, we are now getting down to the later stages of the bill, the report stage, after having had a rather short time in committee to deal with it. It could have been shorter, but as we have seen with the list of amendments here at the report stage, it is pretty clear that nobody and no party was satisfied with the bill, either at second reading at committee or here at report stage. In fact, the government itself moved a series of amendments at report stage, clearly indicating that sufficient consideration had not been given to the bill either in its preparation for second reading or in committee.

We had one meeting devoted to one aspect of this nine-bill omnibus bill, the justice for victims of terrorism act. None of the amendments that the member for Mount Royal moved were accepted at the committee, yet we had five or six or seven amendments from the government at report stage in an attempt to fix what could have been fixed in committee.

Now this omnibus bill is being rushed through. My amendment, Motion No. 1, is to remove the short title. The short title is "safe streets and communities act". We want to remove that title because, aside from the provisions having to do with sexual assault and offences against children, which we supported, every single expert who came before our committee essentially said that overall, the provisions of the bill were going to lead to greater crime in this country and to streets being less safe. These experts included anybody who had done any study and anybody who had any credentials based upon their work or their training, whether professors of law, professors of criminology, people who had studied this, or representatives from the Canadian Bar Association, who are experts in this field and represent both prosecutors and defence counsel. The Barreau du Québec was another group that came before us with criticisms of the bill.

We had strong representations from the Attorney General of Quebec, who spoke passionately about the experience in Quebec over the last 40 years in dealing with young offenders and about the principles Quebec operated on, principles that are being changed by this legislation. He said quite strongly that the changes being proposed here were so contrary to the experience and prospects of young people in the youth justice system in Quebec that he wanted them changed. He wanted the provinces to be able to make exemptions in the publication of young people's names, for example. He complained about the use of adult sentences. He complained

### *Government Orders*

about changing the principles of sentencing for the Youth Criminal Justice Act to add individual deterrence and denunciation as principles of sentencing, as opposed to rehabilitation. He talked about how successful they had been in Quebec in keeping young people out of jail, to the point that they have a greater success record than the rest of the country.

When we heard expert after expert telling us that the results of the sentencing changes, particularly the mandatory minimums and particularly the lack of flexibility in allowing judges to fashion sentences in extreme cases, we were overwhelmed, frankly, by the received wisdom of those experts saying that there was something wrong with the bill. We opposed it at second reading and tried to make substantive changes to the bill in committee, given the limited time that we had, but we were unsuccessful.

● (1100)

Not a single amendment proposed by any opposition party was accepted in the clause-by-clause study of the bill, yet some of the amendments proposed by the member for Mount Royal are mirrored in the amendments proposed by the government, but ruled out of order by the Speaker, at report stage.

We have a very difficult situation here. I realize it is symbolic to change the name of the bill. The government calls this piece of legislation the "safe streets and communities act", yet it wants to limit debate to depicting itself as being tough on crime and the opposition as being sympathetic to criminals and wanting things to be a lot easier for them. That is the nature of the debate that the government has tried to foist upon Canadians, but the response from Canadians has been overwhelmingly critical of the government's approach to changing the fundamental aspects of our criminal justice system.

There are some exceptions. Not everything in the bill is negative or bad, and we supported many aspects of it, but to say that this piece of legislation is going to provide safer streets and communities is laughable. There are people who believe that criminals do not get heavy enough sentences for what they do; there may be selective ways of doing that, but the way the bill tackles this issue has resulted in the most consistent level of opposition that I have ever seen from those concerned about the nature of our criminal justice system.

Even those who support the bill have reservations. The Association of Chiefs of Police says it supports it in principle. Some victims of crime came forward to say they were concerned about not having tougher sentences, while others said they were more concerned about prevention and rehabilitation. There are those who think there should be stronger sentences, and our judges are listening to that. Parts of the bill deal with that issue, and we support that aspect.

As I mentioned, the government has called the bill the "safe streets and communities act", yet expert evidence has indicated that the overall effects of the bill are more likely to lead to more crime, more recidivism or repeat offenses, more victims of crime and less safety for our streets.

Our Motion No. 1 is directed at doing just that.



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Motions Nos. 2, 5 and 8 in this grouping relate to what is called acts of terrorism against Canada and Canadians, but the bill really would establish a new tort to allow victims of acts of terrorism to bring civil suits against foreign countries or foreign agencies.

We have some problems with that bill. We do not have a problem with the approach, and there are a number of amendments try to fix the bill. The government has recognized at this stage, a little too late, that it should have been fixed, but that is an indication of how it has rushed this legislation and failed to give the proper amount of time to consider it.

It also underscores that for clearly political and ideological reasons, the bill is being lumped together with eight other bills to support the government's notion that it is tough on crime and the opposition is not. We are trying to improve the bill, make the criminal justice system fairer and more reasonable, and raise the point that changes have to be made to the bill but are not being made.

Even the United States, which probably has the highest rate of incarceration in the world, has safety valves for mandatory minimum sentences; this legislation has none.

There would have been an opportunity in committee to fix the bill if there had been more time. Many changes could have been made in committee. The Speaker ruled that the government's amendments are all out of order because they could have been presented in committee, so clearly the bill could have been fixed if we had had more time to do a proper job, and we argued for more time in the face of time allocation.

• (1105)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Madam Speaker, I want to ask a question about the hon. member for St. John's East's very last point.

It is very telling and important that we examine the problem of having rushed this bill through committee, but now we have the government amendments ruled out of order. These amendments, which opposition members would have supported, would have cleared the committee had they been presented then.

What are the member's thoughts as to why those efforts to fix the bill now have come too late?

**Mr. Jack Harris:** Madam Speaker, it is pretty clear that after the first day, when we had two hours of debate, the member for Mount Royal moved a substantial number of amendments. As he said, we were trying to fix and improve the bill. That is what clause-by-clause is for. However, it is clear the government did not really have enough time to consider the reasonable amendments. Some of the amendments the government put forward mirrored, or were slightly different, but properly considered ways of changing and improving the bill.

I am extremely disappointed, as I think Canadians are, that parliamentarians from both sides did not get an opportunity to do their job. We went into the second meeting with a motion that this would be done between 8:45 a.m. and midnight tonight or not at all. We ended up in a filibuster, but it was an attempt to focus attention on the problem and to try to solve it. Obviously this job was rushed.

[Translation]

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Madam Speaker, I thank the hon. member for St. John's East. Quebec and some of the other provinces do not want this bill. People have been protesting in a number of provinces, to indicate their opposition to the bill. Building expensive megaprisons will not make our streets safer. What are my colleagues thoughts on that?

[English]

**Mr. Jack Harris:** Madam Speaker, incarcerating more people may keep those individuals out of society for a period of time, but people who go to jail get out. They do not stay there for the rest of their lives.

The result of lengthy periods of incarceration will be full prisons that lack the ability of rehabilitation programs to better prepare people to return to society and be better members of society. That is one way that we will have less safe streets. A young person who might otherwise have been rehabilitated and avoided the criminal process may end up being a hardened criminal and lead a life of crime, inflicting harm upon society. The expertise has said that this would lead to less safe communities and streets.

The costs are enormous. The provinces do not want to bear those costs and they have their own views in many cases, particularly the youth justice in Quebec. As well, the use of adult sentences in some circumstances would be contrary to the experience in having a better youth justice system in other provinces.

Overall I think the effect of this is going to be less safe street. That is what the experts tell us. I know some people have an emotional reaction and lengthy sentences to crime gives some satisfaction. However, there are other ways to achieve safer streets, at which the government has not looked.

• (1110)

[Translation]

**Ms. Hélène LeBlanc (LaSalle—Émard, NDP):** Madam Speaker, I would first like to commend the efforts of the member for St. John's East on this file. What does the member think is the best way to achieve this bill's objectives?

[English]

**Mr. Jack Harris:** Madam Speaker, succinctly, greater effort on prevention and rehabilitation and more contribution to police services and enforcement is important.

There is a rate of 6% or 7% more aboriginal people in our prisons. Clearly there is something wrong with that. Significant efforts have to be made to work on prevention in aboriginal communities and fix our justice system.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Madam Speaker, it is with great pride that I rise today. The amendments put forward by me on behalf of the Green Party and by other members on the other opposition benches, the official opposition and the Liberal Party, speak to a desire of the majority of Canadians to see the bill fixed. I am particularly speaking to an amendment put forward under part I, the justice for victims of terrorism act.

I want to begin my brief remarks by paying tribute to one extraordinarily brave Canadian woman, Maureen Basnicki, whose great courage and perseverance in the face of losing her husband, Ken, in the disaster of 9/11 inspires us all.

I had a chance to talk to Maureen in the justice committee hearings. This was during the time we were transfixed by a government motion to end debate and push the whole bill through that day. She was disheartened, as an individual Canadian, that so much in the bill was caught up in an omnibus bill. As much as I support the efforts to allow Canadians, such as Maureen, who ever experienced the tragedy of personal loss to an act of terrorism overseas, and as much as it is quite right and appropriate, Canadians should be able to seek civil remedies overseas.

There is much in the bill that changes the characteristics of Canada and the values of Canadians in ways that do not reflect the kind of country we are. In fact, one of the trite things said after 9/11 was that if we abandoned civil liberties, if we changed what we were as a country, we had let the terrorists win.

To throw people in jail on mandatory minimums without the discretion of a judge who sees the person before him or her, without the opportunity of the criminal justice system to work toward restorative justice, without the opportunities that a compassionate justice system has to figure out if the person deserves jail time, or needs mental health facility where he or she can get the help needed, or is a victim of systemic racism or is someone for whom only criminal justice will work, needs revision. Putting forward my first amendment, which relates to the victims of terrorism act, is an important improvement in Canadian law and I support it. The amendment I have added today, should it be passed, will only expand the ambit of those Canadians who have been damaged by acts that fall well below the rule of law.

My amendment would add to the definition of terrorism that we would also recognize an act of torture to be something for which Canadians could seek redress overseas. It would apply to the case of someone like Mahar Arar. He was taken, in violation of all that is decent and in violation of all rule of law, not in recognition of his Canadian citizenship at all, and subjected to torture. He too would have redress to these civil remedies.

Since I have the opportunity to speak to the bill, as the hon. member from the official opposition has done, let me also speak to the broader problem. In the view of every criminologist, expert, academic who appeared before the justice committee and who commented on this through the media and in learned articles and so on, no one who has an experience of mandatory minimums believes they work. They do not believe they will reduce crime. They believe they will drive up the cost of our system and impose on the provinces. As has been so well pointed out by the provincial justice

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minister for the province of Quebec, there could be untold billions of dollars in the cost of new prisons.

We already have overcrowded prisons. To crowd them further will impose other problems. The state of California needed a court order to release prisoners because the overcrowding constituted cruel and unusual punishment in violation of its bill of rights. We do not want that situation in Canada.

I want to raise a very specific point that did not come up in committee. I believe it is very important for all Canadians to recognize that every member of the House of Commons favours law-abiding citizens. Every member of the House of Commons wants to do better than the bill does in supporting victims of crime.

However, the legislation will not deliver safer streets. I cannot say that forcefully enough. One of the aspects of this, which I do not think has received adequate attention, comes from the experience in the United States, when the Americans removed judicial discretion with mandatory minimums and gave power in the hands of prosecutors to exact plea bargains.

● (1115)

Plea bargains have become far and away more common than criminal trials, which means that presumption of innocence goes out the window. There is generally a sense that if one insists on one's innocence and goes to trial, one will be punished down the road with a mandatory minimum. That is how prosecutors exact plea bargains. They say that if people go to trial, they will increase the offence. If they are found guilty, they will go to jail for 20 years instead of 2 years.

I will quote an article from the *New York Times*, on September 25, 2011, titled "Sentencing Shift Gives New Leverage to Prosecutors", and a legal scholar, who was a former conservative federal judge and prosecutor and now law professor. I want to emphasize this and I hope members of Parliament will reconsider it and give weight to this last moment we have at report stage to fix this bill and get rid of mandatory minimums.

This is what former judge Paul Cassell said:

Judges have lost discretion, and that discretion has accumulated in the hands of prosecutors, who now have the ultimate ability to shape the outcome. With mandatory minimums and other sentencing enhancements out there, prosecutors can often dictate the sentence that will be imposed.

The story goes on to say:

Without question, plea bargains benefit many defendants who have committed crimes and receive lighter sentences than they might after trial.

In other words, taking discretion away from judges does not guarantee, as those on the government benches so desire to see, that people who are guilty of crimes will be put behind bars. They may get the perverse result that I am sure they do not want, that mandatory minimums drive us to a completely new system in which prosecutors have the ability to plea bargain. In that process, people who would have been found guilty before a judge and jury, and be subjected to a harsher sentence, would get a lighter sentence.

Yes, we will overcrowd our jails. Without the safety valve provisions in the amendments that we will be reviewing today, without an ability to say "mandatory minimums should not apply here", without that, we will be crowding our jails.



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We know as of now we are not putting sufficient resources into programs for mental health or to help people with addictions. We know that so many of the problems that occur in crimes on the streets have to do with systemic problems of poverty, lack of access to mental health resources, treatment and care and addiction. If we are not dealing with those, we are merely throwing people from the streets, where there are problems, into jails. Jails are not a solution to mental health problems. Jails are no solution to the absence of affordable housing.

This is not legislation that will work for Canadians. It will not make safer streets; it will make meaner streets. This is not a bill that deals with Canadian values. This speaks to some other country that I do not know. I do not want to live in a country that thinks it is better to impose stark mandatory minimums rather than have a criminal justice system rooted in the rule of law that recognizes the primacy of the value that goes back to the times of common law, before the existence of our great country of Canada. We recognize the presumption of innocence. We must not lose that.

We must not live in a country where a member of a governing cabinet can look across the floor of the House and accuse an opposition member, as if it were a crime, to have worked as a lawyer for the defence. The defence of people accused of crime is essential in a criminal justice system. As we know from Donald Marshall Jr. and the Milgaard case, innocent people get accused of crimes. Those people who defend them in court are an essential part of the fabric of a civilized society that understands the rule of law.

I do not think I have ever been so deeply shocked by anything I have heard in the House of Commons as an accusation that the hon. member, who now stands as the official opposition House leader, was somehow a bad person because before entering politics, while practising law, he defended people accused of crimes. We should remember that when someone is accused of a crime we do not say a person is "defending criminals". The presumption of innocence is an essential part of the fabric of a civilized society. I fear we are losing that.

• (1120)

**The Deputy Speaker:** Order. The hon. member may be able to continue her comments in questions and comments.

Questions and comments, the hon. member for Sudbury.

**Mr. Glenn Thibeault (Sudbury, NDP):** Madam Speaker, the hon. member talked about the important measures we are trying to bring forward with many of the amendments.

One of the issues that caught my attention in the member's speech relates to support for individuals with mental health issues. In my riding of Sudbury, the Canadian Mental Health Association does great work with those individuals. However, we are starting to see more and more individuals who require mental health services ending up in jails and not necessarily getting the services they need. What we do not want our prison system to become is the next system for individuals with mental health issues to get those services.

I would like to hear the hon. member's comments as to what we see coming forward for individuals with mental health issues and how the bill would do anything to change that or even support them.

**Ms. Elizabeth May:** Madam Speaker, it is clear there were attempts to amend this legislation. The witnesses appearing on behalf of the Toronto Lawyers Association and others on behalf of the legal community argued that this legislation should be amended to take into account mental health issues. That was not possible at committee. Those amendments were not given adequate opportunity to be discussed.

In this set of amendments, we are bringing forward a safety valve that deals with mental health issues.

This legislation would criminalize the mentally ill. We are not seeing the resources that are needed in prisons to help people with mental health issues, nor are the mental health issues on the streets being addressed. If we are not dealing with it and we are not helping those individuals, we are jailing them.

• (1125)

[Translation]

**Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP):** Madam Speaker, we are dealing with a very complex bill, an omnibus bill. The Conservative government says it consulted families, but did it truly listen to the experts? We have no way of knowing.

My colleague proposed some amendments today. I would like her to remind us what she based those amendments on. Whom did she listen to in order to come to the conclusion that this bill needed some amendments?

**Ms. Elizabeth May:** Madam Speaker, I listened to every expert, witness, academic and legal expert.

[English]

There is a huge body of evidence that calls for this bill to be amended. Every criminologist is saying that mandatory minimums do not work and that we should not go down that road. In listening to them, I put forward amendments. I have a great hope that at this last minute members of the governing party will give them every consideration and consider changing the law to make our streets safer.

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Madam Speaker, the member said that she has issues with the mandatory minimums. Does the member realize that they are minimums and that in the case of violent repeat offenders, rapists or murderers, a judge could hand down a greater sentence?

As well, could the member let the House know which of the mandatory minimum sentences she is against or feels is too long for some of these violent repeat offenders?

**Ms. Elizabeth May:** Madam Speaker, the problem with mandatory minimums is not personal to me. Rather, it is a universal problem among the people who have seen how they operate. There could be higher sentences. I was giving an example from the United States. Former judge Paul Cassell said that what is happening, in which case it is not theoretical, is it gives greater discretion to the prosecutors. As these are not cases that get to court, there is a plea bargaining process that can provide lighter sentences for people who could have had their sentences increased had they appeared before a judge.

In summary, my amendments propose to delete all of the mandatory minimums for all of the offences, not because people should not go to jail, but because in each case a judge should decide how long each convicted person should go to jail.

**Hon. Irwin Cotler (Mount Royal, Lib.):** Madam Speaker, at this stage in the proceedings, the motions that I will be referring to relate to those in Group No. 1, Motions No. 2, 5 and 8 in particular.

In effect, what I will be doing is speaking to a set of motions that relate to one particular part of the bill at this stage in the proceedings, which is among those being addressed. That is the part with respect to justice for victims of terror and amending the State Immunity Act.

I also want to add my voice to the words of my colleague, the member for Saanich—Gulf Islands, in paying tribute to Maureen Basnicki. As a victim of terror, she has been advocating for this type of legislation for years, as has the Canadian Coalition Against Terror. I want to acknowledge their advocacy all these years, and pay tribute to them.

If we look at this piece of legislation, we will see, although it may not appear as such, that this is really transformative legislation. This legislation is historic, which is not a word I use lightly.

If one looks at our laws, particularly in the matter of giving civil remedies to victims of terror against the terrorist perpetrators, which do not exist, the reason they do not exist is that we have a State Immunity Act that immunizes the perpetrators of terror from any civil suit. This is the first time that we will be amending the State Immunity Act to give victims of terror a civil remedy against their terrorist perpetrators. That is why I supported this legislation. I support it in principle. That is why I am moving the amendments. They are not in opposition to the legislation. They are intended to help improve the legislation, to give victims a more effective voice against their terrorist perpetrators, and in fact, to hold the terrorists more expressly accountable for their terrorist acts.

That is the first point as to why this legislation is so transformative. For the first time, we will be amending the State Immunity Act to give victims a voice to hold terrorists accountable.

Second, we will be correcting a historical anomaly in our legislation. As it now stands, there is a commercial exception in the State Immunity Act. By a commercial exception I mean that if a Canadian victim has suffered damages by reason of a breach of contract, he or she will have a civil remedy, but if he or she is a victim of terror, he or she will not have a civil remedy.

We have a situation where our legislation gives an implied preference with respect to actions taken for breaches of contract as against actions taken by victims of terror.

### *Government Orders*

This brings me to the third particular transformative dimension. This is the first time that we will be preferring victims of terror against their terrorist perpetrators, who up to now have been immunized by our law for their acts of terror against Canadians.

I have been framing this as a transformative piece of legislation for the reasons mentioned, and also the reasons I moved the amendments in this regard.

One of the things I find ironic and disconcerting is that such a piece of transformative legislation was bundled together with eight other pieces of legislation. I would have thought that the government would have wished to highlight such a transformative piece of legislation. I would have thought that a government that purports to always be wishing to give a voice to victims, and in this instance to victims of terror, would have wished to frame this as a centrepiece of its criminal justice approach, rather than bundle it together with eight other bills.

• (1130)

I would have thought that the government would have wished to have us consider this both in the House when the legislation was first tabled, and then in committee with all the attention, deliberation and discussion that it warranted for being such a transformative and historical piece of legislation. Accordingly, I supported this legislation. I even had a private member's bill which sought to give victims of terror a civil remedy. Therefore, I was pleased when the government introduced its legislation to do exactly that.

I found it ironic that my purported amendments would have been summarily rejected, since they were put forward for the purpose of improving the legislation that the government had introduced to give victims a voice. The representations made by the government when I put forward those amendments were that it was a filibuster. We had already had an abbreviated debate in the House on the tabling of all nine bills, and then we had an abbreviated debate at committee. I moved those amendments as quickly as possible in the abbreviated time that was provided, only to be told that we were filibustering and to be asked why we were considering this legislation again in this House.

It needs to be stated for the record that this is the first time this legislation is being considered in this House. It was never considered in this House. The government attempted to abbreviate discussion on this legislation, on the grounds that it had been discussed here before, which is not the case. Therefore, it warrants the fullest possible discussion.

I will limit myself now to the specific amendments that I put forward in order to improve the legislation.



*Government Orders*

The first was to give effective civil remedies to victims of terror against the perpetrators of terror. As this legislation now stands, it still would immunize state perpetrators of terror from any acts, injury or damages caused by their acts of terror, let alone the wrongful deaths that ensued. I find it surprising, and it is another anomaly, that this legislation would give victims a civil remedy against the agents or proxies of the state engaged in state terrorism, but not against the state itself. The situation of Libya and the Lockerbie bombing would have been okay under this legislation, if we could have found an agent or proxy of Libya that carried out the act, some terrorist organization acting on Libya's behalf. However, the victims could not have directly sued Libya because Libya would be immunized under this legislation. Similarly, we could not take an action now against Iran for any state act of terror but only against any of its agents or proxies, such as Hamas and Hezbollah, as listed as terrorist entities under Canadian law. I put forward this motion again in order to give victims an effective voice against a terrorist state.

The second is that it would not allow for an action to be taken against a non-listed terrorist entity in our law which is functionally associated with a listed entity. We should allow for that because terrorists can change names and we would not be able to sue.

The third is to give an effective remedy for purposes of execution of judgments by the plaintiff victims. We do not have the kind of effective remedies in that regard that we need.

Finally, giving the government the power to list the governments that seem to be terrorist states in this regard would be an arbitrary exercise of discretion that we should not give to states. Even the government's own witnesses said, "Don't go there. Don't give that arbitrary power of listing terrorists to the government".

• (1135)

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Madam Speaker, I always learn something when I listen to the hon. member enter into a discourse with respect to pretty well any subject. I thought his speech was actually one of those ones where it was a very useful and a very thoughtful approach to actually making a remedy effective. I think the point that he was making was that, essentially, the civil remedy be extended, not simply to the agent, but to the state actor.

I was thinking, as a former practising lawyer, that it is great to have remedies but if there is no effective execution on the remedies, no effective ability to actually secure funding to satisfy the judgment, then the entire exercise is useless and quite costly, particularly in a civil context.

I would be interested in hearing his thoughts with respect to what appears to be an extension of the law, i.e. extending civil remedies to an agent, when, in fact, suing the Hamas is a total waste of time, or suing the agents of the Lockerbie catastrophe is also a total waste of time. What is useful is being able to get to the state.

**Hon. Irwin Cotler:** Madam Speaker, I always benefit from my exchanges with the hon. member for Scarborough—Guildwood, and here is yet another example. He is exactly right. This legislation does not give the victims of terror an effective remedy against the principals involved in the terrorist action. It would give them a more limited remedy only against their agents or proxies.

If we really want to give the victims of terror the voice that the government purports to wish to give them, then we need to authorize a civil remedy against the state, terrorist, perpetrator themselves. Otherwise, we would not only circumscribe but limit the civil remedy and, indeed, we would continue to immunize the terrorist state from liability.

• (1140)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Madam Speaker, I thank the hon. member for Mount Royal for a very thoughtful address and for focusing on his amendment.

However, I was taken by one thing he said as a, shall we say, newer member of Parliament in this place. Although it has been often repeated that the bill has been debated and debated in this place, he put forward that this is the first time the bill has come before the House of Commons.

I would be very grateful if he would expand on that because it is so often repeated that it is hard not to believe it is true. However, I also recognize that this is new legislation and we have not had adequate time to study it.

**Hon. Irwin Cotler:** Madam Speaker, this is the first time that it is being discussed and debated in this House. A similar piece of legislation was introduced in the other House and debated in the other House, but it was never introduced and debated in this House. The last I looked, we still have two chambers. In this chamber, in the House of Commons, this legislation was only tabled for the first time and debated for the first time in the House and at committee.

It is, as I said, such a piece of transformative legislation that it would have warranted debate, even if it were not for the first time, and extended debate both in the House and in committee.

However, this is the first time that we are debating it and it is bundled together with eight other pieces of legislation. I would say that each of the eight other pieces of legislation, individually and collectively, warrant their own differentiated discussion and debate. Regrettably, we do not have that. We are at least fortunate to be able to address this, albeit for the first time in this House.

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Madam Speaker, I am pleased to participate in the report stage debate on Bill C-10, the safe streets and communities act.

This important crime bill continues to attract a lot of debate, both within and outside this chamber. Often, the debate focuses on misconceptions and falsehoods that have been spread through the fear-mongering of the opposition parties.

I welcome the opportunity to add my voice to the debate because I want to direct my remarks to clarify what is in the bill, what it would do and what other initiatives the government is taking to address the issues discussed in Bill C-10.

[Translation]

First, Bill C-10 does exactly what was promised both during the last federal election and during the Speech from the Throne in June 2011. It combines nine bills that were introduced during the last Parliament, but died on the order paper with the dissolution of Parliament for the general election.

*Government Orders**[English]*

Second, its objectives, as reflected in the short title, the safe streets and communities act, are clear and, in my view, should be easy for all to understand and support.

Part one of the bill seeks to support victims of terrorism by giving them new tools to hold those who commit acts of terrorism and those who support them, including listed foreign states, accountable.

*[Translation]*

Part two proposes changes that will ensure that consistent and appropriate penalties are imposed for serious crimes and that the penalties imposed reflect the serious nature of the crime. More specifically, the bill will ensure that those penalties are imposed for all sexual offences committed against children and not just for certain offences. It will ensure that anyone who commits violent acts or offences against property serves their sentence in prison and not in the comfort of their own home under a conditional sentence of imprisonment.

It will also ensure that the most serious drug-related offences, such as trafficking of cocaine or heroin, which generally involve organized crime or the use of violence and weapons and have a serious impact on the health and safety of communities, are punishable by consistent and appropriate penalties including a prison sentence.

● (1145)

*[English]*

Part 3 proposes numerous post-sentencing reforms to better support victims and to increase offender accountability and management. These reforms would include clarifying that the protection of society is of paramount consideration for the federal corrections process, the Parole Board of Canada and provincial parole boards, as well as give victims the right to make a statement at parole hearings and to receive certain information about the offender. They would also rename pardons as record suspensions, which better describes their real nature, and it would extend periods of ineligibility to apply for them as well as make certain offences ineligible to receive them.

Part 4 proposes to amend the Youth Criminal Justice Act to better deal with violent and repeat offenders. These reforms include ensuring that the protection of the public is always considered as a principle in dealing with young offenders and strengthening the pre-trial detention provisions to enable the detention of youth who are spiralling out of control and who would pose a risk to the public safety by committing serious offences if released while awaiting trial. Importantly, these reforms would also enable a court, in appropriate cases, to sentence a youth to custody for violent offences that involve a substantial likelihood of causing bodily harm to life or safety of others, and not just whether youth attempted to cause or threaten to cause bodily harm, as is currently the case.

Last, part 5 proposes immigration related reforms that would seek to protect vulnerable foreign workers against being exploited by unscrupulous Canadian employers.

*[Translation]*

Many witnesses appeared before the Standing Committee on Justice and Human Rights to express their opinions about Bill C-10. Most, if not all, of these witnesses supported the fundamental principles of Bill C-10. For example, everyone agreed that sexual exploitation of children is a serious crime and that child sex offenders must be treated seriously by the criminal justice system.

Everyone agreed that trafficking of heroin and cocaine, especially by organized crime, must be treated seriously. I believe that most, if not all, of the witnesses agreed to including a provision whereby a mandatory minimum sentence would not be served if an offender successfully completed a drug treatment court program. And I believe that everyone agrees that vulnerable foreign workers must be protected from exploitation by unscrupulous Canadian employers.

*[English]*

It seems to me that the only individuals who appear to be completely against the fundamentals of Bill C-10 are sitting on the other side of the House. Members from the opposition have continuously demonstrated that they are completely out of touch with what Canadians want.

During our study in committee and during the report stage of debate, the opposition members tabled amendments to the bill that would repeal the two year mandatory sentence for the importation of the hardest drugs in Canada. They table amendments that would mean that those who bring date rape drugs into Canada would be subject to lighter sentences. They table amendments that would allow an arsonist, who burned someone's house down, to serve their sentence in the comfort of their own home. They table amendments that would delete new offences that are essential to prevent child sex offences and protect children. And the list goes on.

*[Translation]*

Canadians are worried about crime. That is one reason why they gave our government a clear mandate to make our streets and our communities safer. Bill C-10, the Safe Streets and Communities Act, will also help deal with pedophiles and drug traffickers who import hard drugs, such as cocaine, heroin and methamphetamine into Canada.

These legislative reforms are desirable and necessary and are a crucial part of the solution to crime in this country.

*[English]*

It is important to remind members on the other side of the chamber that although the legislative changes contained in Bill C-10 are an essential part of the solution and do achieve exactly the goals I have described, they are not the government's only response to preventing some of these crimes.



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The government is also tackling crime through non-legislative measures, including, for example, the national anti-drug strategy launched in 2010, which has invested \$588.8 million in three areas: prevention, treatment and enforcement, the last of which includes the reforms now proposed in part 2 of Bill C-10.

Second, the national crime prevention strategy is currently providing \$45 million per year through the crime prevention action fund, the northern aboriginal crime prevention fund, the youth gang prevention fund and the security infrastructure program.

Third, the national strategy to protect children from sexual exploitation on the Internet is currently providing \$71 million over five years, that includes supporting the RCMP's National Child Exploitation Coordination Centre and providing law enforcement with better tools and resources to address Internet-based child sexual exploitation. It also supports the operation of cybertip.ca, the national 24/7 tip line for reporting online child sexual exploitation. That is being funded by the Centre for Child Protection that houses cybertip.ca and that carries out public education and awareness on these three issues.

I think we can all agree that the issues covered by Bill C-10 are serious issues. Bill C-10 provides a commensurate but tailored response to these issues that builds on existing legislative and non-legislative responses.

It is time for the opposition to listen to the needs of Canadians from coast to coast, to stop their fear-mongering, read the bill and understand what it really would do. It is time to act together to support Bill C-10 and to make Canada's streets safer.

• (1150)

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Madam Speaker, I thank the member opposite for outlining why the Conservatives think it is important to move forward with the bill. Of course it flies in the face of any kind of evidence that is emerging from countries, like the United States, that have taken this approach and are now backtracking because it simply did not work.

The member talked about crime prevention. I want to reference the University of Ottawa's Institute for the Prevention of Crime, which has posed a number of questions and I wonder if the member would be prepared to answer them. The institute talks about evidence-based approaches and it has four questions. I am sure the member will not have time to answer all of them but we should consider these four questions in the House. If we had full time for debate we would have done this. The questions are:

- What is the evidence on proven or promising practices in this area?
- What are the gaps in our knowledge (research priorities)?
- How will the initiative be monitored and evaluated?
- How will resistance to change be addressed?

I wonder if the member could address those questions in the context of crime prevention and the measures he has indicated that the government is prepared to take.

**Mr. Robert Goguen:** Madam Speaker, contrary to the opposition, we do not look to the south for solutions to preventing crime and predicting the most vulnerable elements of our society.

I am always bemused by the fact that the system that we are trying to put in place to protect the innocent people of Canada, the victim,

is compared to the United States of America. It is my understanding that we are always being compared to Texas. Texas does not have a parole system, so that is largely different from what we have here in Canada and what we are proposing in the legislation. We are not radically changing the whole system. We are trying to protect society from the most violent and repeat offenders.

As I understand it, Texas also has a death penalty. What can we really draw from Texas and the other 51 states of the United States of America that all have their own criminal code? In Canada, we have the benefit of having one Criminal Code to send a resounding message to all Canadians that we will protect them from the criminal element, and that is what we are doing and we believe it will work.

[Translation]

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Madam Speaker, Quebec has made it clear that it does not want to foot the bill for Bill C-10, the omnibus crime bill.

When the office of the Minister of Public Safety was asked to clarify, the minister's spokesperson responded that it would be up to each province to allocate the resources of the Canada social transfer according to its priorities. If I understand correctly, the Conservative government is asking the Government of Quebec to cut the budgets for post-secondary education, social assistance, social services and early childhood services, since these are areas covered by the Canada social transfer, in order to pay for the megaprisons.

Is that what the Conservative government is telling Quebec, that it should make cuts in order to pay for the megaprisons?

**Mr. Robert Goguen:** Madam Speaker, the Government of Canada and the provincial governments, including the Government of Quebec, each have their own jurisdictions. It is certainly up to the provinces to decide where they should allocate the necessary funds, according to their priorities. It is not up to the federal government to tell the Government of Quebec where its priorities should be. We know very well that Quebec puts a great deal of emphasis on rehabilitation. There is nothing in Bill C-10 that in any way affects Quebec's ability to reform its system for rehabilitating offenders.

• (1155)

[English]

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Madam Speaker, this government focused on the serious issue of protecting victims and it campaigned on a promise to be tough on child sex offenders and to crack down on illegal drug trafficking, really unlike our colleagues across the aisle in the NDP. Could the parliamentary secretary please comment on what the bill does to protect children from these serious crimes?

**Mr. Robert Goguen:** Madam Speaker, obviously Bill C-10 focused, as I said previously, on the most vulnerable members of society, and those are the children. Everyone will agree that children must be protected from sexual exploitation and Internet crime. Obviously, anyone who does this and has this type of contact will be punished severely and be deterred from doing this by being placed in prison.

The people of Canada have asked for this, we have responded to it, and there is no surprise that there are provisions in there to seriously punish people who are in this field of criminal activity.

**Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC):** Madam Speaker, I am very pleased to speak today about Bill C-10, the safe streets and communities act, to highlight that this bill is a reflection of our commitment to tackling crime, increasing public safety, and restoring the confidence of Canadians in the justice system.

The people of Canada know they can count on us to deliver on our commitments. Bill C-10 includes nine bills from the previous Parliament. Many critics of the bill argued that the bill was too big and too difficult to understand. I would note that the bill has had a thorough review in the Standing Committee on Justice and Human Rights. There has been no difficulty at all in understanding what these reforms seek to do. While not all members share the government's approach, I think all members of the committee would agree that their voices have been heard and we have had a respectful exchange of views.

As has been noted many times, all of these reforms have been previously introduced in Parliament. Many were previously studied and some even passed by at least one chamber. These bills were at various stages in Parliament in the last session, have been debated and studied in this session, and the public and stakeholders as well as members of Parliament are by now very familiar with these proposals.

Despite this familiarity, it is worth noting the elements and the origins of Bill C-10, in other words, the nine bills that were introduced in the last session of Parliament. As the Minister of Justice indicated at second reading debate, some changes have been made to this bill due primarily to the need to co-ordinate the merger of several bills into one and make consequential amendments to effect these changes. In some cases, other modifications were made, all of which are consistent with the objectives of the bill as originally introduced.

The former bills now included in Bill C-10 are the following.

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Bill C-4, which proposed to amend the Youth Criminal Justice Act to ensure that violent and repeat young offenders are held accountable through sentences that are proportionate to the severity of their crimes and that the protection of society is given due consideration in applying the act.

Bill C-5, Keeping Canadians Safe (International Transfer of Offenders) Act, which proposed to enhance public safety by modifying the circumstances that would permit an international transfer of an offender.

Bill C-16, which proposed Criminal Code amendments to prevent the use of conditional sentences, or house arrest for serious and violent offences.

Bill C-23B, Eliminating Pardons for Serious Crimes Act, which proposed to amend the Criminal Records Act to expand the period of ineligibility to apply for a record suspension, currently referred to as a pardon, and to make record suspensions unavailable for certain offences and for persons who have been convicted of more than three offences prosecuted by indictment.

Bill C-39, Ending Early Release for Criminals and Increasing Offender Accountability Act, which proposed amendments to the Corrections and Conditional Release Act, to support victims of crime and address inmate accountability and responsibility and the management of offenders.

Bill C-54, Protecting Children from Sexual Predators Act, which proposed Criminal Code amendments to better protect children against sexual abuse, including by increasing the penalties for these offences and creating two new offences aimed at certain conduct that could facilitate or enable the commission of a sexual offence against a child.

Bill C-56, Preventing the Trafficking, Abuse and Exploitation of Vulnerable Immigrants Act, which proposed to amend the Immigration and Refugee Protection Act to authorize immigration officers to refuse work permits where it would protect vulnerable foreign nationals against exploitation, including sexual exploitation.

Bill S-7, the Justice for Victims of Terrorism Act, which proposed reforms to allow victims of terrorism to sue terrorists and supporters of terrorism, including listed foreign states.

Bill S-10, Penalties for Organized Drug Crime Act, which proposed amendments to the Controlled Drugs and Substances Act to provide mandatory minimum penalties for serious drug offences, including when offences are carried out for organized crime purposes, or if they involve targeting youth.

• (1200)

The maximum penalty for the production of some drugs would also be increased. These amendments also proposed to allow a sentencing court to delay sentencing while the offender completed an approved treatment program.



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Bill C-10 was studied by the justice committee over several weeks and over 90 motions to amend the bill were considered. While very few were passed and many were completely inconsistent with the principles underlying the bill, each motion was given due consideration.

I would also note that over 80 motions have been proposed at report stage. Many of these motions seek to completely undo or gut the proposed amendments.

As I noted at the outset of my remarks, Bill C-10 reflects our government's commitment to restoring public confidence in our justice system. Clearly, the motions proposed at report stage demonstrate that this commitment is not shared by other members of the House.

There has been a great deal of discussion about the elements of the bill that provide for mandatory minimum penalties and that restrict conditional sentences. The reality is that these reforms are carefully tailored and targeted to offenders who commit the most serious offences.

Should offenders convicted of arson receive a conditional sentence allowing them to serve out their sentence at home under certain conditions? Should an offender convicted of an offence with a maximum sentence of 14 years ever be permitted to serve that sentence in the comfort of the offender's home?

Even under the strictest of conditions I think all Canadians would agree that no matter what the conditions of house arrest may be, it is simply not appropriate for serious offences. Bill C-10 reforms will make that crystal clear.

I would note that motions to amend the proposed reforms to the conditional sentencing provisions were made at committee and again at report stage. Without going into detail, those motions sought to permit conditional sentences to be imposed without regard to any criteria to limit their imposition as long as certain other exceptional circumstances existed about the offender. Such sentences are not appropriate for some offences regardless of the offender's particular circumstances.

Conditional sentences were never intended to be used for the most serious or violent offences. Our reforms will clarify this once and for all and will provide the clear parameters for use of conditional sentences or house arrest.

As I noted, part 2 of the safe streets and communities act includes former Bill S-10, Penalties for Organized Drug Crime Act. These reforms have been introduced in three previous Parliaments and have been passed by both chambers but never by both in the same session.

Despite our repeated debates and committee study of these reforms, there still remains much misunderstanding about the mandatory minimums for serious drug offences. As noted by other speakers, the minimum mandatory penalties are tailored to serious drug offences where aggravating factors are present.

Importantly, the amendments include an exception that allows courts not to impose the mandatory minimum sentence if an offender successfully completes a drug treatment program or DTC, as it is referred to. The program works with individuals who have been charged with drug-related offences who meet certain eligibility

criteria to overcome their drug addictions and avoid future conflict with the law. It involves a blend of judicial supervision, incentives for reduced drug use, social services support and sanctions for non-compliance.

There are currently six drug treatment courts in Canada. They are located in Ottawa, Toronto, Winnipeg, Regina, Edmonton and Vancouver. The same exception applies for other programs, so that a court could delay sentencing to allow the offender to attend another approved treatment program.

This last point seems to have been overlooked by some members and we all share the concern about the need for mental health resources. However, the Criminal Code already permits a court to delay sentencing to permit an offender to attend an approved treatment program. This could be a program for mental health issues, anger management or other similar issues. This already exists in the code.

I will conclude by saying that the government is committed to public safety and improvements to the justice system, and will continue to deliver on the promises that we have made to Canadians.

• (1205)

[Translation]

**Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP):** Mr. Speaker, the government is introducing a bill that will increase the prison population in federal institutions.

I have a few questions about that. Several federal penitentiaries are located in my riding. At present, the employees of institutions that house inmates already have many problems in relation to quality of life, health and workplace safety. These institutions are not even at full capacity, yet there are already problems.

Does my hon. colleague believe that the number of employees working in these federal penitentiaries will be increased? Is there anything in this bill to protect the employees already on the ground, given that the prison population will increase and more and more problems will arise in prisons?

[English]

**Ms. Kerry-Lynne D. Findlay:** Mr. Speaker, one of the problems I am finding in this debate back and forth is that everyone keeps looking within the four corners of this particular comprehensive legislative package for all the answers. There are ongoing programs and ongoing dialogue with our provincial and territorial partners.

As we know, with the division of powers in Canada, the federal government is responsible for legislating on criminal law and the provincial governments for administering it. The conditions in prisons, how prisons are run and how staffing is done is part of an ongoing dialogue. These are things that continue to be worked on and those concerns will be brought forward in those dialogues.

[Translation]

**Ms. Hélène LeBlanc (LaSalle—Émard, NDP):** Mr. Speaker, I have a question for the Parliamentary Secretary to the Minister of Justice. As elected officials and government members, they have a duty to base their decisions on experts' studies in order to create informed policies.

She said the bill aims to restore the confidence of Canadians in our justice system. What study is the member basing that statement on?

• (1210)

[English]

**Ms. Kerry-Lynne D. Findlay:** Mr. Speaker, I do not know that one needs studies to know. I certainly heard it when I was knocking on doors during the last election campaign. As a lawyer of 30 years, I have been hearing for the last 30 years from members of the public that they do not understand why the punishment for certain crimes is not commensurate with the severity of the crime. They do not understand why someone convicted, not just accused but convicted, of serious and violent offences can serve some of that time or any of that time in a conditional sentence or in their own homes.

This is an ongoing problem in the public's mind and one that we are adamantly seeking to address with this legislation.

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, the other parliamentary secretary made reference to the fact that we should be going across the country and listening to Canadians, not engaging in fear-mongering. I have gone across the country and I have listened to Canadians, both in my former capacity as minister of justice and now as an MP, on this bill.

I would like to put two questions. Is it fear-mongering to raise evidence-based critiques of mandatory minimums, some of which are based on evidence contained in Department of Justice publications, as I know them to be?

Second, is it fear-mongering to raise concerns about whether Bill C-10 comports with the Canadian Charter of Rights and Freedoms when the minister of justice, whoever he or she may be, has a constitutional duty to ensure that legislation comports with the Charter of Rights and Freedoms?

**Ms. Kerry-Lynne D. Findlay:** Mr. Speaker, of course there is a duty on behalf of the Minister of Justice to put forward legislation that complies, in our view, with the Charter of Rights and Freedoms. However, as the hon. member said himself in the justice committee, there is also a constitutional duty for the minister in his portfolio to protect the public. That is exactly what this is aimed at doing.

A lot of rhetoric has been coming from the other side, most of it hysterical, and I do mean that in both senses of the word. There were 40 mandatory minimum penalties in the Criminal Code before this government took office that were either introduced by the Liberal Party, which he represents, or were not repealed by that party.

[Translation]

**Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP):** Mr. Speaker, you surely will not be surprised or amazed to hear that the NDP supports criminals, especially those that are dangerous to our children. Yes, the NDP supports criminals. You will not be surprised to hear that because it is an argument that the Conservatives have made repeatedly for some time now. It is an

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arrogant and inflammatory argument. I would say instead that it is precisely because we do care about the issue of crime that we are opposed to Bill C-10 as it stands.

If any member of the House truly believes today that I want to help criminals and encourage sex crimes against children, then he or she should rise, look into my eyes, and tell me that. Even the title of this bill is ridiculous: the safe streets and communities act. There is nothing that leads us to believe that mandatory minimum sentences or having no access to rehabilitation are really going to make our streets safer.

I want to speak about a report by the Standing Senate Committee on Human Rights entitled "The Sexual Exploitation of Children in Canada: the Need for National Action". This report illustrates the grave danger children face when it comes to sexual crimes. It is asserted, among other things, that most children who are sexually abused are victims of people that they know well, that they trust, and that are close to their family.

The report proposes a number of potential solutions to combat sexual crimes against children. It is suggested that helping children blow the whistle on their aggressors might put an end to their nightmare. By arresting criminals more quickly, it may be possible to prevent further sex crimes against children. It might be surprising to learn that the report does not speak of mandatory minimum sentences, but rather of education. Education can promote children's self-esteem and give them tools to communicate.

There is also the question of access to adults who can be trusted, perhaps soccer coaches or teachers. There are plenty of people in the circle of a sexually abused child who can help open the door at the right time and listen to a child's confidences. It is also a matter of giving children the confidence that they need to report somebody by giving them the services they need before and after they blow the whistle. When children are trying to report someone, they must get support. The family members must also get support so that they can help the child rebuild self-confidence.

Those are but a couple of tools that could justifiably be associated with the title "safe streets and communities".

There is no reference to mandatory minimum sentences in this report. The report is but one of many examples I can use to argue for my point of view: that supporting children can be a far more effective alternative to mandatory minimum sentences.

I can also speak about a strategy cited in a political statement by the Canadian Council on Social Development, which refers to crime prevention through social development. What does that mean? It is a tool, according to the CCSD, which would be a far more effective and less costly way of preventing crime. Early intervention prevents crime by helping those who otherwise may become criminals or victims.



### Government Orders

It refers to risk factors, or what can lead a person to act in a certain way, to become a criminal or a victim. Once again, there is a surprise: it has nothing to do with mandatory minimum sentences. Criminals do not ask themselves if they are going to have to spend a certain number of years in jail. This does not necessarily influence their decision-making. This report talks about a number of risk factors such as poverty, inadequate parenting skills, addiction and alcoholism, dropping out of school, mistreatment, low self-esteem and negative peer involvement. These are problems that must be tackled in order to prevent crime and make streets and communities safe.

Bill C-10 is an omnibus bill that covers very different and diverse subjects and issues.

• (1215)

The bill would allow victims of terrorist acts to sue perpetrators of terrorist attacks or to sue states. The bill talks about mandatory minimum sentences, drugs and sexual crimes. It covers electronic surveillance of offenders and the codification of victims' rights. It talks about applying for a pardon, or rather a record suspension, which would be much more difficult to obtain. It talks about a criminal justice system for youth. It talks about work permits for foreign nationals who run the risk of being mistreated.

All these issues are very important and certainly deserve our attention, but they are all grouped together in one bill that must be discussed all at once. Thus, there are not many opportunities to debate these matters in the House. This is also the case for experts, for those who have dedicated their lives to justice and fighting crime, and who are not even given the time to provide their opinion and their expert advice to the government, which will make decisions without really listening to them.

Speaking of experts who testified before the Standing Committee on Justice and Human Rights, the following are a few who appeared on October 18.

Mr. Gottardi, vice-chair of the national criminal justice section of the Canadian Bar Association said:

The bill takes a flawed approach to dealing with offenders at all stages of their interaction with the criminal justice system, from arrest, through to trial, to their placement in and treatment by correctional institutions, and to their inevitable reintegration back into society.

Another expert, Mr. Jackson, who is a member of the committee on imprisonment and release of the national criminal justice section of the Canadian Bar Association stated:

This road map ignores 150 years of correctional history. It pays no attention to previous recommendations or royal commissions. In its 200 pages there is not a single reference to the Charter of Rights and Freedoms, or to decisions of the Supreme Court. It is legally illiterate, and yet it is the brainchild of the amendments that you have before you and upon which you are asked to hear.

Clearly, the witnesses who appeared before the Standing Committee on Justice and Human Rights are not all in favour of what has been presented.

Furthermore, Mr. Gottardi expressed his disappointment at being given only five minutes to speak before the committee. Imagine that. He has devoted his whole life to justice and the fight against crime and was given only five minutes before the committee to address such an important piece of legislation. I am sorry to say to

Mr. Gottardi that, regardless of whether you were given five minutes or five hours, it would not have made a very big difference because the Conservatives likely would not have listened to what you had to say.

Today, 88 amendments are being presented, which is a significant number. What work was done in committee? Did the committee truly listen to the members and witnesses? I highly doubt it.

In closing, this government boasts that it listens to families, which is commendable. It is important to listen to Canadians and to react to what they have to say. They do not understand our justice system, so why not explain it to them better? They are frustrated and they are calling for justice because they think that criminals are not serving long enough sentences. It is a matter of vengeance and the families' pain and suffering. Perhaps, we could help them in some way other than to simply agree with them and introduce mandatory minimum penalties.

We could also listen to the experts who have a lot to say on this subject. For example, the West Island CALACS, which is known for its work to combat violence against women and domestic violence, has told us that it disagrees with the general thrust of this bill because it opens the door to additional repression. Repression does not give victims any real power.

So, let us listen to these experts and the people who deal with violence and the lack of safety on the streets every day. Let us listen to their suggestions and have a real discussion in order to create a bill that is far more respectful of the real needs of all Canadians.

• (1220)

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, last Sunday, under the Access to Information Act, *The Canadian Press* obtained an internal report by the federal Department of Justice. The report raises doubts about the effectiveness of harsher sentences, the linchpin of the Conservative government's tough-on-crime policies. To quote the author of the study, André Solecki, "There was no evidence to suggest that the imposition of a fine or imprisonment had any effect on the likelihood of whether an offender would re-offend or not."

Thus, I have a question for my hon. NDP colleague about the following observation. Either the Conservative government does not read its own internal reports, or it ignores any reports that it does not agree with, stubbornly sticking to its ideology and forsaking all expert opinions that call for more emphasis on prevention and rehabilitation than on harsher sentences.

**Ms. Lysane Blanchette-Lamothé:** Mr. Speaker, I thank my hon. colleague from Chicoutimi—Le Fjord for the example he gave. Indeed, the studies conducted by experts have called on the government to focus more on prevention. I have several examples here today. I already mentioned the CALACS and quoted a few reports. In particular, some studies involving a meta-analysis show that incarceration does not reduce recidivism. I could also talk about the University of Ottawa's Institute for the Prevention of Crime, which found that a number of prevention policies and practices have been proven to reduce crime and victimization and to improve general well-being.

So, yes, there are tons and tons of examples of people who are saying that Bill C-10 is the wrong way to go.

• (1225)

**Mr. Matthew Dubé (Chambly—Borduas, NDP):** Mr. Speaker, there is a term that I quite liked in the hon. member's speech and that is "risk factors". It is very interesting. The idea is that all of us here are in favour of virtue and reducing crime, especially violent crime, as the hon. member put it so well. In the meantime, we all have different approaches.

The Minister of Justice often cites a poll from Quebec that says that every Quebecker is in favour of harsher sentences, but there is more to it than that. This does not necessarily mean they support the measures in Bill C-10, because that bill has a number of problems.

I would like the hon. member to say a few words about the fact that when we talk about risk factors, we are talking about issues in our society such as health and education. Now, not only are those issues not being addressed in order to reduce crime, but the provinces are being asked to dig into their budgets for these programs, to pay for this bill.

I would like the hon. member to elaborate on this problem.

**Ms. Lysane Blanchette-Lamothe:** Mr. Speaker, allow me to share some of my experience to comment on this. I used to be a primary school teacher. Let me tell you, if every time a student did something the teacher did not like and the teacher turned around and gave that student lines to copy out, or some other form of punishment, that would not solve the problem in the long term, neither in the classroom nor in the school. Instead, young children need to be taught social skills. They need to be shown how to study, how to ask questions and how to express frustration. Indeed, repression is not the only method and it has also been proven not to be the most effective method. That is my comment.

[English]

**Mr. Dave MacKenzie (Oxford, CPC):** Mr. Speaker, I am pleased to join in today's debate on Bill C-10.

As members are aware, the bill has been criticized on a number of grounds. One of the most frequent criticisms aimed at the bill was the fact that there were several amendments proposing mandatory minimum penalties, MMPs, for serious drug offences under the Controlled Drugs and Substances Act. No doubt, in part as a result of these criticisms, this part of the bill was subject to the greatest number of motions to amend. As we can see, in the end, that part of the bill was amended only once in committee.

As parliamentarians we have engaged in an impassioned debate on the issue of mandatory minimum penalties. In fact, for many parts of the bill the justice committee has spent 67 days hearing from 363 witnesses over the course of the last four years. That does not include the marathon sessions we spent at clause-by-clause consideration. I believe all members of the committee should be congratulated for their hard work. They put in a lot of hours and they worked very hard on this particular bill.

As I have just indicated, the minimum penalties for serious drug offences were often criticized. Some of the criticism appeared in the media and some was stated by witnesses appearing before the

committee. I would like to take a few moments to deal with some of these criticisms.

One of the recurring criticisms of the mandatory minimum penalty provisions is that a person in possession of marijuana would receive a minimum penalty. I have to say that I found this particular criticism the most surprising. This is the fourth time that the Controlled Drugs and Substances Act, in relation to provisions of the bill, has been before Parliament.

These provisions have been exhaustively examined by the Senate Standing Committee on Legal and Constitutional Affairs and by the House of Commons Standing Committee on Justice and Human Rights and they are clear. The Minister of Justice has appeared before these committees and he has repeatedly stated that these proposals do not apply to simple possession. He has frequently stated that the proposed mandatory minimum penalties would only apply to the most serious drug offences.

It is difficult to make it clear which offences do not fall under the ambit of these provisions, and yet this particular criticism continues to reappear. At this point I am forced to conclude that anyone who makes this criticism is of bad faith and that the criticism is only being made to suit other purposes.

Another criticism that is directed at the mandatory minimum provisions is the suggestion that someone who simply gives a joint of marijuana to a friend would be at risk of receiving the minimum penalty provided by the new provisions in the bill. The definition of trafficking in the CDSA includes giving a drug. Therefore, as a result, giving a joint would be necessarily caught by these new mandatory minimum provisions.

While it is true that giving a drug is included in the definition of trafficking, the provisions of the bill are clear. In order for the mandatory minimum provisions to apply to the offence of trafficking, there must exist one of the aggravating factors listed in the new provision dealing with trafficking. Here again the Minister of Justice has been clear: The application of mandatory minimum penalties would occur only if one or more of the listed aggravating factors were present during the commission of the offence.

A variation of this criticism has been that if a young adult were to give a marijuana joint to a friend while at school, the person giving the joint would be liable to a minimum penalty of two years' imprisonment. The argument here is that one of the aggravating factors is present, that trafficking has occurred in a school, and therefore the minimum penalty must apply.

Here again, the criticism is misplaced. Clause 39 of the bill at the very outset states that paragraph 5(3)(a) is subject to paragraph (a.1). Paragraph (a.1) provides a penalty of anyone trafficking in cannabis in an amount that is equal to or less than three kilograms. That penalty is a maximum term of imprisonment of up to five years.

The net effect of paragraphs 5(3)(a) and (a.1) taken together is to remove the offence of trafficking in amounts of three kilograms or less from the ambit of the minimum penalties for the offence of trafficking found in paragraph 5(3)(a). Therefore, a young person who gives a joint to a person while at school, were he or she to be prosecuted, would be liable to the ordinary penalty found in paragraph 5(3)(a.1) and not the minimum penalty of two years.



*Government Orders*

● (1230)

I would also like to say a few words about one of the motions directed at clause 43. This clause proposes a new subsection 10(4) to the CDSA which will allow a court to delay the imposition of the sentence so as to enable the offender to participate in a drug treatment program approved by the Attorney General, or to attend a treatment program under subsection 720(2) of the Criminal Code.

A significant number of individuals applying for admission into drug treatment courts are individuals who have committed prior serious drug offences, most notably trafficking and possession for the purposes of trafficking. These offenders would receive minimum penalties if the proposed mandatory minimum penalty regime is implemented.

Clause 43 creates an exemption from the application of mandatory minimum penalties for offenders who participate in treatment programs. These provisions will enable a judge to delay the application of the penalty while the offender participates in a treatment program, and will allow a judge to impose a penalty other than the minimum penalty if the offender successfully completes the treatment program.

The motion that I wish to comment on proposes adding a paragraph to clause 43. The new paragraph would add that the judge could delay sentencing for the offender convicted of a drug offence so he or she could attend and receive treatment for mental health issues, or attend a mental health treatment program approved by the Attorney General.

While I believe that this motion was well intentioned, I would like to point out that the provision being proposed in clause 43 is not necessarily for the treatment of drug-specific problems at the exclusion of all other problems that a drug offender may have. Indeed in my view, the reference to a treatment program under subsection 720(2) would allow a judge to permit the offender to attend any approved treatment program, including a program for mental health issues, provided of course there are treatment programs available and approved.

Our government recognizes that serious drug crimes, including marijuana grow operations and clandestine methamphetamine labs, continue to pose a threat to the safety of our streets and communities. Bill C-10 contains significant elements forming part of our strategy to address this problem.

The bill proposes amendments to strengthen the Controlled Drugs and Substances Act provisions regarding penalties for serious drug offences by ensuring these types of offences are punished by an imposition of mandatory minimum terms of imprisonment.

With these amendments, we are demonstrating this government's commitment to improving the safety and security of communities across Canada. Canadians want a justice system that has clear and strong laws that denounce and deter serious crimes, including serious drug crimes. They want laws that impose penalties that adequately reflect the serious nature of these crimes.

● (1235)

*[Translation]*

**Mr. Dany Morin (Chicoutimi—Le Fjord, NDP):** Mr. Speaker, my Conservative colleague on the other side spoke about the treatment offered to prisoners, in particular for addiction. I like this approach that the government is looking to include. However, I do have some concerns. Correctional investigator Howard Sapers said that only one in five inmates has access in prison to programs for anger management or substance abuse.

I would like my Conservative colleague to tell me whether the government plans on expanding the measures in the crime bill to ensure that addicts have access to programs that will help them and will make our streets safer.

*[English]*

**Mr. Dave MacKenzie:** Mr. Speaker, that is an interesting question. I would say to my colleague across the floor that in the last session of Parliament the public safety committee toured the prisons across this country, not all of them, but a number of them. We found that in fact there was a whole raft of programs available to people in prison.

If my colleague had had the opportunity to sit through the committee, he would have heard from other sides, not just Mr. Sapers, for whom I have a great deal of respect, but also from others. According to people who work inside the prison system, a number of prisoners refuse to take treatment.

In many cases, treatment is being offered, but it also has to be accepted. It is like the old adage that we can lead a horse to water, but we cannot make him drink. In the case of the federal prison system, we have increased mental health treatments in the facilities.

I am sure there is more to be done, and as we move forward, things will be done.

**Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC):** Mr. Speaker, there is a lot that I would like to say but I know that time is always our enemy here.

This government has invested a lot in the skills link program to keep youth from crime and to help re-educate folks who are dealing with a past conviction. Through the National Crime Prevention Centre, we invest a lot. My hon. colleague mentioned the significant investment in the institutions themselves in order to give programs to people to help them get back on track and be contributing citizens. At both ends, in fact, we are investing a lot of money.

My hon. colleague knows this file well and I appreciate his great work. Even where we have clearly underlined that the minimum sentences are for serious drug crime, for serious violent crime and for repeat crime, are these people also not able to apply for parole after one-third of that five year minimum and are they not also subject to release after two-thirds of that time unless the Parole Board deems that they should not be released? Is that not the case?

**Mr. Dave MacKenzie:** Mr. Speaker, in this country we do have parole systems and we do have systems that work to rehabilitate those people who are sent to prison. That is one of the interesting things. We frequently hear about the difference between what is happening in some jurisdictions outside of our borders where they do not have a parole system. We do have a parole system that works very well.

In some cases, we appreciate that we do need to make some changes with respect to the parole system, perhaps tighten it up and make the rules a bit different and a bit tighter. However, people need to understand that when individuals are sentenced to prison there is a certain prison term involved and it is not eliminated because of extremely early parole.

Although we have a parole system and it works very well, there are jurisdictions that are frequently related to that do not have a parole system. I think we should be proud of our system. It works to rehabilitate individuals who are sent to prison for serious crimes.

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, I am rising to speak to Bill C-10, the safe streets and communities act. The New Democrats have put the safety of our communities as a top priority, but I feel that what gets lost in much of this discussion is that there are many roots to safety in our communities.

This bill has bundled together a number of previous pieces of legislation that were before the House and much has made about the fact that they were before the House, but it is important to remind members that roughly one-third of the members currently sitting in the House today did not have an opportunity to engage in debate and discussion when those bills were previously introduced. Part of our role as parliamentarians is to practise due diligence, as well as to scrutinize legislation that comes before us very thoroughly and ensure that Canadian interests are being broadly served.

I want to touch for a moment on the whole issue of safe streets and communities and refer to an article on November 14 in the *Toronto Star*. This was written by the Canadian Bar Association and it is entitled, "Ten reasons to oppose Bill C-10". I will not go over all of the reasons because I think a number of members have ably outlined them. However, I will touch on a couple of points. It starts by saying:

Bill C-10 is titled The Safe Streets and Communities Act—an ironic name, considering that Canada already has some of the safest streets and communities in the world and a declining crime rate. This bill will do nothing to improve that state of affairs but, through its overreach and overreaction to imaginary problems, Bill C-10 could easily make it worse. It could eventually create the very problems it's supposed to solve.

Bill C-10 will require new prisons; mandate incarceration for minor, non-violent offences; justify poor treatment of inmates and make their reintegration into society more difficult. Texas and California, among other jurisdictions, have already started down this road before changing course, realizing it cost too much and made their justice system worse. Canada is poised to repeat their mistake.

Earlier today, in response to a question I asked, I heard one of the members opposite ask why we would look south when we have our own justice system here, and so on. Of course, he is absolutely correct. We do have our own justice system here. However, I would argue that we should look at other countries that have tried similar strategies to see what the outcomes were. If the outcomes did not work in other countries, I cannot imagine why we would think they would work here.

### *Government Orders*

The Canadian Bar Association went on to outline its 10 reasons and I will touch on a couple. It states:

1. Ignoring reality. Decades of research and experience have shown what actually reduces crime: (a) addressing child poverty, (b) providing services for the mentally ill and those afflicted with fetal alcohol spectrum disorder, (c) diverting young offenders from the adult justice system, and (d) rehabilitating prisoners, and helping them to reintegrate into society. Bill C-10 ignores these proven facts.

Number 4 on its list of 10 is as follows:

No proper inspection. Contrary to government claims, some parts of Bill C-10 have received no previous study by parliamentary committee. Other sections have been studied before and were changed—but, in Bill C-10, they're back in their original form.

Number 9 on its list reads:

Victimizing the most vulnerable. With mandatory minimums replacing conditional sentences, people in remote, rural and northern communities will be shipped far from their families to serve time. Canada's aboriginal people already represent up to 80% of inmates in institutions in the Prairies, a national embarrassment that Bill C-10 will make worse.

Number 10 reads:

How much money? With no reliable price tag for its recommendations, there is no way to responsibly decide the bill's financial implications. What will Canadians sacrifice to pay for these initiatives? Will they be worth the cost?

In its conclusion, it said:

Canadians deserve accurate information about Bill C-10, its costs and its effects. This bill will change our country's entire approach to crime at every stage of the justice system. It represents a huge step backwards; rather than prioritizing public safety, it emphasizes retribution above all else. It's an approach that will make us less safe, less secure, and ultimately, less Canadian.

The Canadian Bar Association very ably outlined the concerns of many in the opposition and many people across this country.

A rally was held outside of my constituency office in Nanaimo last Thursday. I was in the House and was not able to speak to the people who were meeting but, contrary to what the Conservatives say, there are many Canadians who are absolutely concerned about the repercussions of this bill. This rally was about supporting people who are speaking out in opposition to Bill C-10. I have received hundreds of emails. In some of the side conversations that go on in the House, I have heard Conservative members say that they have had virtually no opposition to this bill and yet I can tell people that I have received hundreds of emails in opposition to this bill.

● (1240)

I want to touch for a moment on crime prevention because that is also one element that is lacking in this bill, not only crime prevention but the funds for crime prevention. I heard a previous member rhyme off a number of programs but the reality of it is that there is a link between poverty and crime. However, I do not want to underestimate the fact that there are many people who are not poor who commit crimes. We have had some very high-profile Canadians, one in particular who has been doing time in a U.S. jail for white collar crime. I just want to point out that poverty does not necessarily mean that one will end up committing a crime.



### *Government Orders*

There is an article that was put together about child and youth crime prevention through social development. This paper very strongly urges the Government of Canada, this Parliament, to invest in children and youth as a crime prevention strategy. This paper was developed through the CCSD, the Canadian Council on Social Development.

The council says:

Crime prevention reduces the risks for future crime and victimization. But many of the assumptions we make about what works to prevent crime are ill-founded.

A landmark report prepared for the U.S. Congress concluded that some of the most common efforts to stop crime—such as boot camps, police Neighbourhood Watch programs, and drug education classes for children—don't even come close to reaching their objectives.

However, interventions focused on changing the underlying social conditions of children and youth—such as nurse visits to “at risk” families with infants, parenting classes, availability of recreational programs, and a focus on social competency skills in school, to name just a few—were found to decrease crime. This kind of approach is called crime prevention through social development.

It is a very lengthy report and I will not have time to read all of it into the record. I just want to read some excerpts from it. It has another section titled, “When kids flourish, crime doesn't”. It reads:

Social conditions such as housing, family income, and education leave their deepest marks on children and youth. Improvements in the social conditions have been shown to open up new vistas for young people who might otherwise end up behind bars.

Evaluations done in Canada, the U.S., Europe and other countries demonstrate that certain social interventions work, they are cost effective and they provide social benefits. Researchers now conclude that social intervention can yield positive, measurable benefits within three years, with reductions in crime of 25% to 50% within 10 years.

I will say those numbers again because I think they are important. An investment in children and youth can result in crime reduction rates of 25% to 50% within 10 years. Rather than subjecting people to crime, victims of crime, and families to all of that chaos that results when a family member commits a crime, surely that investment would be worth it for the health, safety and overall well-being of our communities and our country.

One study found that it costs taxpayers seven times more to achieve a 10% reduction in crime through incarceration rather than through a social development approach. Again, the council goes on to list the fact that if we invest in housing, education, clean drinking water, all of those things which I think every member of this House would acknowledge that if people have safe, clean, affordable housing, if they have good employment, if they have access to education, if they have all of that kind of social capital that we talk about, their chances of getting into trouble are greatly reduced.

In my closing minute I will touch on the fact that one of the other places where we need to invest is early childhood education. The University of British Columbia has a study that says for every dollar we invest in early childhood learning and care, we save \$7 in the long run. That \$7 is saved in the criminal justice system, in education, in income assistance and in health.

It is unfortunate that we are having a conversation in this House about a tough on crime bill that purportedly will make our communities safer when all of the evidence flies in the face of that.

I would urge this House to reconsider this action and that we talk about these investments in our communities instead so that we can

actually prevent crime from happening and that our communities do become safer, healthier, happier places in which to live.

• (1245)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I would like the member to expand on how this bill protects children or fails to protect them. I note that some of the strong critics of the bill with concerns have included the Canadian Paediatric Society, and the Canadian Council of Child and Youth Advocates, particularly looking at the changes within the Youth Criminal Justice Act.

How do we ensure that we protect our young people, as everyone here wants to? We do not want children at risk from sexual predators. We do not want children at risk from exploitative child pornography. However, neither do we want to have a bill passed that the experts in child welfare find so badly wanting.

• (1250)

**Ms. Jean Crowder:** Mr. Speaker, I will quote again from the report about early childhood and education, ECE. It states:

Studies have repeatedly shown that high-quality ECE reduces the delinquency rate among disadvantaged children and increases their success rate in completing high school and obtaining employment. In fact, quality ECE benefits all children, regardless of social class and parental employment. One reason for this is that ECE provides the opportunity for early identification and intervention in cases of children with special needs.

Again, we need to talk about the root causes of crime, which does not seem to be on the government's agenda. We need to talk about that early intervention. We need to talk about providing those supports to children, whether with special needs, learning disabilities or those who do not have all the supports they need at home. We need that early intervention to help these children stay out of the criminal justice system.

As the article points out, this is for children from all social classes. This is not just with respect to poor children.

[Translation]

**Mr. Marc-André Morin (Laurentides—Labelle, NDP):** Mr. Speaker, it seems as though the government did not think through some parts of this bill. I would like to hear what my colleague has to say about that. For example, the provinces will end up with overcrowded prisons and the justice system will no longer function because thousands of people will be put into the system unnecessarily and will turn into career criminals. That will force the provinces and local governments to find ways to try to control the situation.

Crown prosecutors will be tempted to drop charges for more serious crimes. We may see a lesser charge being prosecuted to avoid exposing the accused to penalties that are too harsh. The justice system itself may try to lessen the impact by not laying charges with too big a sentence. This simply may not work at all.

[English]

**Ms. Jean Crowder:** Mr. Speaker, that is a very complex question. Sadly, I probably have less than a minute to respond, so I will focus on one brief aspect of it.

The Parliamentary Budget Officer has estimated that costs for prison construction and per cell will rise substantially over the coming years. With this legislation, it is anybody's guess as to how much it will actually cost.

I have heard members opposite say that they already provide money to the provinces through the Canada social transfer. Unless there will be a significant boost in that social transfer, provinces will have to make decisions about whether they pay for health care, education and some of those other social benefits in their provinces or whether they build prisons. Again, in the context of what I talked about with respect to prevention, that simply does not make any sense.

We need to rethink the impacts of this legislation and invest in those kinds of prevention strategies that I mentioned.

**Mr. Stephen Woodworth (Kitchener Centre, CPC):** Mr. Speaker, I am honoured to speak today in the debate on Bill C-10, the Safe Streets and Communities Act. I am going to limit my remarks to the changes this bill makes to the Youth Criminal Justice Act. These changes were previously incorporated in Bill C-4, or what was known as Sebastian's law. Those proposals are now in part 4 of Bill C-10, clauses 167 to 204.

The former bill, Bill C-4, was first introduced on March 16, 2010, and was being reviewed by the House of Commons Standing Committee on Justice and Human Rights when the opposition caused Parliament to dissolve on March 26, 2011. Sixteen meetings had been held to study Bill C-4 and over 60 witnesses had already appeared before the committee.

The problems with our current youth criminal justice system were recently highlighted by the results of four months of observation by the *Toronto Star* of a typical Canadian youth court. I will briefly quote the conclusions reached, which state:

Changes to youth sentencing law in 2003 were supposed to fix an overreliance on custody. Instead, serious offenders are thumbing their noses at the courts because they know they will be treated lightly. Victims feel their voices are not heard. Kids who violently break the law, many from broken homes, are reoffending.

Our government invests significantly in crime prevention and rehabilitative measures and in restorative justice, but a balanced approach to criminal justice requires that we also pay due regard to protecting the public and victims of crime against violent youth offenders and repeat youth offenders. This is what Bill C-10 targets.

A number of amendments to the youth justice provisions of Bill C-10 were tabled by both NDP and Liberal members of the standing committee during clause-by-clause consideration and I will comment on some of the more significant of those.

One proposed amendment relates to protection of the public, specifically calling for the reinsertion of "long-term" ahead of the phrase "protection of the public" in the overarching principles of the Youth Criminal Justice Act. In highlighting protection of the public in the Youth Criminal Justice Act, the government has responded directly to recommendation 20 of the Nunn commission report.

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The Nunn commission was a Nova Scotia public inquiry, which examined the circumstances surrounding the tragic death of Theresa McEvoy, who was struck and killed by a youth driving a stolen vehicle. Justice Nunn concluded that highlighting public safety as one of the primary goals of the act was necessary to deal with this small group of repeat offenders that was spinning out of control.

We agree with the conclusion drawn by Justice Nunn that the current provisions of the Youth Criminal Justice Act are not sufficient to deal with this small group of dangerous and repeat offenders. It is simply wrong to suggest that by removing the adjective "long-term" from ahead of the phrase "protection of the public", we are forbidding consideration of long-term factors. No, by removing a restrictive adjective, we are merely restoring the phrase "protection of the public" to its true meaning. In doing so, we are allowing judges to consider all factors relating to public protection, including short-term and long-term considerations.

It is also very important to note that, just as it was before Bill C-10, protection of the public will continue to be simply one principle of the act, alongside and equal to other principles, such as emphasis on rehabilitation in section 3(1)(b), fair and proportionate accountability in section 3(1)(c) and special consideration for young persons in section 3(1)(d) of the Youth Criminal Justice Act.

Another motion to amend called for the removal of specific deterrents and denunciation from the sentencing principles in the Youth Criminal Justice Act. That is proposed by clause 172 of Bill C-10.

By allowing judges to consider specific deterrents and denunciation in sentencing, and I say only allowing, not requiring, we increase confidence in the youth justice system. We simply give judges the right to choose the tools they feel necessary to deal with the needs of the differing young persons who come before them.

In proposing this amendment, the government is not abandoning the current sentencing principles in the legislation. It is instead giving judges an additional tool to help deal with that small group of repeat and violent offenders where it is reasonable to consider specific deterrents, or even denunciation, for the benefit of the young person and in order to maintain the public's confidence in the administration of justice. Even this provision would be limited in its effect because the application of these provisions, specific deterrents and denunciation, would be subject to the principle that the sentence must be proportionate to the gravity of the offence and the degree of the responsibility of the offender.



*Government Orders*

● (1255)

Another of our proposals that was discussed quite extensively at the justice committee was the test for publication in clause 185 of Bill C-10. The opposition proposed to amend this clause to basically make this test optional rather than mandatory.

The wider circumstances under which publication bans may be lifted, proposed by clause 185, fulfills our government's commitment to Canadians to ensure that young offenders will be named when the circumstances of their offence requires it. In our view, it would be inappropriate for this provision to be optional when the very purpose of the amendment is to protect the public, and that is not optional. The government is not calling for unlimited publication, but merely equipping judges with an additional tool for circumstances that require it.

In fact, it should be noted that this provision would only make it mandatory for judges to consider, to think about, publication. They are not be required to order publication in any particular case.

The threshold for this is also significant. The judge is required to consider the purpose and principles set out in sections 3 and 38 of the Youth Criminal Justice Act and the judge must decide that the young person poses a significant risk of committing not just any offence but a violent offence and that the lifting of the ban is necessary to protect the public against that risk. If there is no significant risk of violence or if any other solution makes publication unnecessary, then publication remains banned. Furthermore, the onus of convincing the court of these matters remains on the prosecutor.

Our government recognizes the importance of our youth criminal justice system and as such we propose changes in Bill C-10 to address the many concerns that Canadians have expressed about the shortcomings of the current system.

Our government responded to calls for change from several provinces asking for modifications to the former Bill C-4. Manitoba, Alberta and Nova Scotia officials appeared before the commons committee in June 2010 and subsequently provided suggested amendments in relation to pretrial detention, adult sentencing and deferred custody and supervision orders.

Our government considered these submissions and made changes to the applicable provisions found in clause 169 and subclauses 174 (2) and 183(1) of Bill C-10. These changes have been well-received by the provinces that proposed them and would ultimately strengthen the youth justice system.

● (1300)

*[Translation]*

At clause-by-clause consideration, the government also proposed changing clause 168, by replacing the verb "encourager" with the verb "favoriser" in the French version of paragraph 3(1)(a)(ii) of the act. That is a change Minister Fournier from Quebec had requested.

*[English]*

This government is committed to the protection of our communities and to tackling crime committed by young persons. Our view is that this can be achieved without compromising the use of

measures outside the judicial process, while still preserving non-custodial sentences for the vast majority of cases where such measures are appropriate.

Part 4 of Bill C-10 would provide judges and others working in the youth justice system with tools needed to deal appropriately with the differing needs of young people who come before them, including the needs of repeat and violent offenders who have not responded well under the current system. Such changes would restore public confidence to our youth criminal justice system.

I invite all the members opposite to join us in these efforts by supporting this bill. Let us join and together take arms against a sea of troubles and, by opposing, end them.

*[Translation]*

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, the Canadian Bar Association joined its voice to that of the NDP MPs in September when it issued a press release on its concerns about a number of aspects of the bill introduced by the government, including mandatory minimum sentences, overreliance on incarceration, and constraints on judges. Does the government have any intention of listening to the Canadian Bar Association?

● (1305)

*[English]*

**Mr. Stephen Woodworth:** Mr. Speaker, what one would find if one examines this legislation is that mandatory minimum penalties are required only in cases which are particularly egregious. For example, there will be a mandatory minimum penalty for drug traffickers who engage people under the age of 18 in their business of trafficking drugs.

There will be a mandatory minimum penalty for drug producers who set up a grow op in a residential neighbourhood thereby causing a danger of fire or otherwise to communities.

There will be mandatory minimum penalties for drug traffickers who are engaged in organized crime.

These offences are all specifically targeted. Canadians would want us to impose jail sentences on these offences. The government is going to pursue those remedies.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, the government's agenda behind Bill C-10 is clear. The government is trying to give Canadians the impression that it is concerned about crime, and that this legislation would put a lot more people in jail and minimize the amount of crime on our streets.

Preventing crimes from taking place in the first place is, I believe, the priority of people living in Winnipeg North and anywhere in Canada for that matter. That should be the government's number one priority in terms of addressing the crime front.

Does the member believe the government should take some of the resources that it is going to allocate to super jails modelled after the United States and invest those resources in things such as community policing or after school programming for young individuals? Does he not think that would have more of an impact in terms of getting young people involved in more positive things in our communities thereby reducing the amount of crime on our local streets?

*Government Orders*

**Mr. Stephen Woodworth:** Mr. Speaker, one thing is for sure. The money that we are going to save on the wasteful and ineffective long gun registry that the member supports is going to be put into policing and into things which really will make our communities safer.

I happen to know from my own riding the amount of money that our government continues to devote to rehabilitation and prevention. For example, just to name one or two programs, our government has invested heavily in an anti-gang strategy. My own community received \$3.5 million under that. It is in one community after another all across this country with a view to keeping vulnerable young people from being lured into gangs.

My community of Kitchener developed a curriculum called the high on life curriculum, which is being used in schools now, at least all across Ontario if not Canada, to help convince young people that they do not have to do drugs to get high on life.

Our government has promoted other measures and will continue to promote measures, but it is simply not enough that we only do that. We are the only government that has a balanced approach to crime, balancing prevention and rehabilitation with appropriate respect for law and order.

[Translation]

**Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP):** Mr. Speaker, I stand here to voice my opposition to the proposed omnibus bill in its current form. Just a few short years ago, these same measures were voted down, and in a moment of hubris and zeal, the Conservatives introduced this bill again, with the argument that Canadians gave them a strong majority—with 39% of the popular vote.

We have been hearing that everyone supports this bill for weeks now. I would like to take a few minutes of my time to read some comments that I have received from the people of Notre-Dame-de-Grâce—Lachine.

A few days ago, I received an email that was very perplexing.

I am an ex-convict, and I am close to receiving a pardon. But a bill like this one would lower my chances of starting over. I have not committed a crime in over 10 years. Do you think that I deserve to be labelled my whole life? I earn a living and have a family. These mistakes of the past are far behind me. We cannot pass regressive legislation. We are a progressive country and that is how we should remain.

I would like to thank my constituents for participating in democracy in our country by sending emails to me and to other members of Parliament to tell them exactly what they think about these bills. Here is another email that I received:

I think that we should use an approach based on evidence and on practices that have been proven by our justice system. We should be committed to preventing crimes. We should support restorative justice that meets victims' needs and that contributes to the well-being of the community.

It goes on:

● (1310)

[English]

I believe that we should use an evidence-based approach to justice. We should be committed to preventing crimes, and to restorative justice that meets the victim's needs and helps the community to heal. We need to focus on the causes of crime, instead of paying endlessly for the consequences.

[Translation]

Like my colleagues, I have received hundreds of emails like these, telling us why we should oppose this bill in its current form. Neither my party nor I have anything against punishing wrongdoing. In fact, I have great respect for our justice system and the individual judges who do such great work every day. I have worked in a prison; I taught French and math there. I firmly believe that our current justice system meets our needs. We are elected as members of Parliament to make our systems work more efficiently. We are not here to destroy a functioning and coherent justice system.

No fair-minded Canadian wants an ideological law that is not supported by the facts. We are not elected to ignore facts and to do as we please. It is extremely crucial that this important debate is not carried out behind ideological lines. I firmly believe that, because I want our society to be just, equal, and safe. I also believe that we can make this happen by building the laws of our society on truth and fairness.

This omnibus crime bill is a step backwards for our country, or if you will, a step towards the failed penal system of the United States. It should be noted that the crime rate in our country is at the lowest it has been in 40 years. Does this not show that our justice system is working? Why is this not something that we should be building upon?

If our approach is working and our crime rate is the lowest it has been in 40 years, we need to find a way to strengthen the system instead of changing everything. I simply cannot vote in favour of the ideas proposed in this bill, since they have proven ineffective in the fight against crime.

In 2006, the justice department prepared reports on minimum sentences for the former justice minister. It indicated that minimum sentences did not have any special deterrence value, or even educational value, and that they were not any more effective than lesser sanctions. In fact, the justice department indicated that mandatory minimum sentences had no discernable advantage in terms of public safety. The former justice minister had previously stated that all the evidence clearly showed the effectiveness of mandatory minimum sentences even though that was false. A study conducted by the justice department showed that South Africa, Australia, England and the State of Michigan had all backed away from mandatory minimum sentences. Statistics for the Northern Territory of Australia show that its inmate population rose by 42% when mandatory minimum sentences were imposed and that the crime rate did not decline. This drain on the entire economy does not bode well for a society where too many people are in prison.

We are living in a very fragile economy, as our friends opposite keep repeating. Canada's performance is expected to deteriorate in the next few months. We are now losing jobs. We have to deal with these problems. We cannot rest on our laurels while people are being sent to jail, instead of looking at what is important for Canada's economy.

Does it really help the unemployed in our country to tell them not to worry because Canada is doing much better than the United States?



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In recent weeks, the Minister of Finance has accused us of wanting to increase taxes in order to spend extravagantly, whereas it is his party that is continuing to bring in bills such as the one before us, implement its Conservative agenda and cost Canadian taxpayers millions of dollars.

We know very well that a number of provinces have already refused to pay the bill. We are not paid by Canadians to create diversions that will hide major problems. This omnibus bill will be nothing but a drain on our economy. The proof is that case studies show that these measures will not even improve our safety.

The government is repeating history and not disclosing the cost of this excessively expensive program. In an interview with a journalist, the Minister of Justice did not want to disclose the costs associated with passing this bill. The only thing he said to the public was that the cost would be sustainable. If the cost is sustainable, then why is he afraid to tell Canadians where their tax dollars will be going?

Conservative Senator Boisvenu has estimated the cost to be \$2.7 billion over five years. That is a major expense for something that will not create more jobs and will not stimulate our economy, but will instead put more people behind bars. I sincerely hope this is not the government's plan for lowering the unemployment rate. I do not understand why we are heading toward an American-style justice system.

Why should the United States be taken as a successful model of crime prevention? If we look at the statistics compiled by the Organization for Economic Co-operation and Development, in 2011, the number of people incarcerated in the United States was astronomical compared to the number in Canada.

● (1315)

In the United States, 760 out of every 100,000 people are in prison, while in Canada we are lucky, at least for now, that only 116 out of every 100,000 people are incarcerated.

I do not want the government to waste piles of money on a system that will not even reduce the crime rate. That has been proven. This money will come out of the taxpayers' pockets. Do we really want to live in a society that is harsh for no reason, spends money unnecessarily and does nothing to prevent crime? We are debating this bill in order to make communities safer. Every member of the House agrees that we want to make our communities safer, but we will not do so by always putting people in prison. There is nothing in this bill to prevent and reduce crime.

In the House, we are finding it difficult to properly fund our public broadcaster, the CBC, because the government says it has to make budget cuts. However, this same government introduces a bill that will cost millions of dollars for prisons. That is hard to understand.

I would like to come back to the minimum sentences I referred to earlier. Mandatory minimum sentences can result in an overrepresentation of aboriginal people and other minorities in the prison population, as is the case in other areas of the world, such as the United States, where minorities account for a high percentage of the prison population. People should not be put in prison for the fun of it. We have to devote our resources to helping people get out of poverty, helping single-parent families, the poor, minorities and

those who are mentally ill. I do not see anything in this bill to help prevent crime.

Before I finish my speech, I would like to give several reasons as to why I cannot in good faith support this bill. According to a study conducted by the *Canadian Journal of Criminology and Criminal Justice*, which many have read, the longer adolescents remain in prison, the higher the probability that they will reoffend. The expression is well known: prison is a school for crime.

There is a clause in this bill that stipulates that young offenders can be tried as adults. As I have already said, I worked in a prison for a long time and I can tell you that it is true. If someone is put in prison for a minor crime, he will come into contact with many people who have committed much more serious crimes and he may learn to commit those types of crimes.

We must take into account the amendments that were proposed by all the parties on this side of the House, focus more on prevention and help people in need before sending them to prison.

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, I would like to thank the hon. member for Notre-Dame-de-Grâce—Lachine for her very compassionate speech focused on prevention.

As a former teacher, I can testify to the positive contribution made by social workers, community organizations, CLSCs, psychoeducators and psychologists who help those with difficulties. Often, it is the most underprivileged people in our society who have problems and they do not really know how to deal with them, so they end up committing certain minor crimes.

I would like the hon. member to explain how prevention initiatives for these people could help to reduce the number of crimes and victims and the number of prison sentences.

● (1320)

**Ms. Isabelle Morin:** Mr. Speaker, I would like to thank the hon. member for her question. Part of the bill deals with drugs. I am astonished to see the government put forward a bill that would imprison those who abuse drugs or marijuana. In my classes, approximately one out of five students had access to an addiction specialist who could tell them how to reduce their use, what help was available and who could help. This is just one of many examples.

I am appalled that there are no prevention specialists and that the focus is only on healing. And we know healing is not always complete. We have to invest in prevention so that experts can help people in need rather than sending them to prison and forcing Canadian taxpayers to pick up the bill.

**Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP):** Mr. Speaker, I thank my colleague for her speech, which was very representative of reality, especially in her riding, and also across Quebec.

Members know that Quebec has a somewhat different approach to the justice system. Last week, Quebec's justice minister came to see his federal counterpart to propose amendments to Bill C-10. Unfortunately, those amendments were not taken into consideration.

Since Quebec's justice system is working well at this time and the crime rate is going down, what does the member think about the scientific data that Minister Fournier brought forward to support his points of view, and, on the other hand, what does she think about the government, which is using personal experience as its basis? What does she think about this with respect to Bill C-10?

**Ms. Isabelle Morin:** Mr. Speaker, I thank my colleague for her question.

Indeed, Minister Fournier came last week to present the amendments proposed by Quebec, which refuses to pay for this bill. Over 50 amendments show that this bill must be based on facts. I did not attend all the meetings of the Standing Committee on Justice and Human Rights, but I did attend two meetings, and I know that witnesses came to present facts and to say that increasing minimum penalties will not prevent crime and will not make society safer. A large number of experts came to share their opinions, which were backed up by scientific data. The government continues to say that this is what it believes it must do, based on its experience.

To answer my colleague's question, I think it is time for the government to look at the real facts and to accept the proposed amendments to this bill.

*[English]*

**Mr. Kyle Seeback (Brampton West, CPC):** Mr. Speaker, I am pleased to rise in the House today to continue debate on Bill C-10.

It was my pleasure to be a member of the Standing Committee on Justice and Human Rights and extensively review this legislation in committee. I am pleased that it is now coming back to the House.

I want to point out that while the bill's provisions dealing with amendments to the Controlled Drugs and Substances Act were amended only once in committee, there were a considerable number of motions by Liberal and NDP members that attempted to weaken sentences that we had targeted at organized crime.

I am pleased to say that members of our caucus in the committee worked very hard. I have to say that in the waning hours of the committee's discussions, government members treated us to some of the most cogent, informative and at times passionate debate that has been seen in our committee. In this regard, I want to congratulate all of my colleagues on the committee for their passionate debate.

The bill proposes a number of amendments to strengthen the provisions in the Controlled Drugs and Substances Act regarding penalties for serious drug offences by ensuring that these types of offences are punished by an imposition of mandatory minimum terms of imprisonment.

With these amendments we are demonstrating the government's commitment to improving the safety and security of our communities across Canada.

During the review of the bill, the Standing Committee on Justice and Human Rights heard from the Minister of Justice, the Minister of

### *Government Orders*

Public Safety, government officials and a range of stakeholders, including many representatives of law enforcement who repeated over and over again to the committee how long they have been calling for these types of measures.

As I have mentioned before, our government recognizes that not all drug offenders and drug trades pose the same risk and danger of violence. That is why Bill C-10 provides a focused and targeted approach. Accordingly, the new proposed penalties would not apply to possession offences, nor would they apply to offences involving all types of drugs. That is contrary to what we hear from the members opposite.

What the bill does is focus on the most serious drug offences involving the most serious drugs.

Overall, the proposals represent a tailored approach to the imposition of mandatory minimum penalties for serious drug offences such as trafficking, importation, exportation and production.

It would operate as follows: for Schedule I drugs, such as heroin, cocaine or methamphetamine, the bill proposes a one-year minimum sentence for the offence of trafficking or possession for the purpose of trafficking in the presence of certain aggravating factors.

These aggravating factors would include the following: if the offence was committed for the benefit of or at the direction of or in association with organized crime; if the offence involved violence or the threat of violence, or weapons or the threat of the use of weapons; if the offence was committed by someone who was convicted in the previous 10 years of a designated drug offence or if youth were present. If the offence occurred in a prison, the minimum sentence would be increased to two years; in the case of importing, exporting and possession for the purpose of exporting, the minimum penalty would be one year if these offences were committed for the purposes of trafficking; moreover, the penalty would be raised to two years if these offences involved more than one kilogram of a Schedule I drug. A minimum of two years would be provided for a production offence involving a Schedule I drug.

Again, we are talking about drugs such as heroin, cocaine and methamphetamine.

The minimum sentence for the production of Schedule I drugs would increase to three years if aggravating factors relating to health and safety were present.

These factors would be as follows: if the person used real property that belonged to a third party to commit the offence; if the production constituted a potential security, health or safety hazard to children who were in the location where the offence was committed, or in the immediate area; if the production constituted a potential public safety hazard in a residential area; or if the person placed or set a trap.

For Schedule II drugs such as marijuana, cannabis resin, et cetera, the proposed mandatory minimum penalty for trafficking and possession for the purpose of trafficking would be one year if certain aggravating factors were present, such as violence, recidivism or organized crime.



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If factors such as trafficking to youth were present, the minimum would be increased to two years.

• (1325)

For offences of importing or exporting and for possession for the purpose of exporting marijuana, the minimum penalty would be one year of imprisonment if the offence was committed for the purpose of trafficking.

For the offence of marijuana production, the bill proposes mandatory penalties based on the number of plants involved. Production of six to 200 plants, again if the plants were cultivated for the purpose of trafficking, would carry a penalty of six months. For the production of 201 to 500 plants, it would be one year. For the production of more than 500 plants, it would be two years. For the production of cannabis resin for the purpose of trafficking, the sentence would be one year.

I should mention that the government amended clause 41, which deals with a nine-month mandatory minimum penalty for the offence of producing one to 200 plants inclusively if the production was for the purpose of trafficking and certain aggravating factors were present. The adoption of this motion narrowed the offence such that the mandatory minimum penalty would now apply to instances in which more than five plants but fewer than 200 plants were produced, the production was for the purposes of trafficking, and certain aggravating factors were present. The minimum penalty would no longer apply to the production of five or fewer plants.

If there were aggravating factors relating to the health and safety of the production of schedule II drugs, the mandatory minimum sentences would increase by 50%. The maximum penalty for producing marijuana would be doubled from 7 to 14 years of imprisonment.

Amphetamines, as well as the date-rape drugs GHB and Rohypnol, would be transferred from schedule III to schedule I, thereby allowing the courts to impose higher maximum penalties for offences involving these drugs.

I am pleased that Bill C-10 has been thoroughly examined by the Standing Committee on Justice and Human Rights and that we are rapidly approaching our goal of seeing this legislation passed into law.

Our government's message is clear: drug lords should pay with jail time. Canadians can count on us to continue to stand up for law-abiding citizens.

Finally, there are provisions in the legislation for it to be reviewed. I know that members opposite have been voting against this bill consistently. I would invite them to reconsider that position, based on the fact that there are review provisions in the legislation. I hope we have their support when we vote on this later.

• (1330)

[Translation]

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, I have a question for the member across the floor.

Can he show us at least two expert studies that prove that this bill will significantly reduce crime—which is already at the lowest rate

Canada has seen in 40 years—more effectively than a nation-wide prevention program?

[English]

**Mr. Kyle Seeback:** Mr. Speaker, I think the question actually presents the opportunity to explain and contrast clearly the differences between the members opposite and the members on this side of the House.

I sat through every piece of testimony from every witness in committee. The people who are on side and support the bill, who say that it is necessary, are people like chiefs of police, victims organizations and victims themselves. Those are the people who think the legislation would make a difference and those are the people we are proud to stand with in presenting the bill.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, the member made reference to minimum penalties. I was interested in an article that made reference to minimum penalties and will quote from it. It said:

A pedophile who gets a child to watch pornography with him, or a pervert exposing himself to kids at a playground, would receive a minimum 90-day sentence, half the term of a man convicted of growing six pot plants in his own home.

I would ask the member to provide comment on that.

Also, would the member acknowledge that while many states in the Deep South felt at one point that the best way was to build more prisons and keep people in jail longer, most of the advocates of that system and that style of fighting crime are now on the other side, saying that they made a mistake?

It seems to me that the Conservative government in Canada is the only one in North America that has put all of its marbles in the area of getting tough on crime into putting people in jail and keeping them there.

**Mr. Kyle Seeback:** Mr. Speaker, I am pleased to rise to educate my friend on a couple of points that he has raised today.

First, I will deal with mandatory minimum sentences with respect to drug trafficking. My friend does not talk about that. The section is trafficking. It is the production of marijuana plants for the purpose of trafficking.

Police chiefs came and spoke at our committee. They were begging us to get this legislation passed because they need to get these people off the street, and off the streets longer, so that they are not poisoning our children with their drugs.

The other fallacy that we have heard today is that we are somehow following the U.S. model. My friend opposite knows that the incarceration rates, even as they are reducing sentencing in the U.S., are nowhere near what they are in Canada. They are far higher because the American sentences are still far longer, for every single offence, than they are here in Canada. There is no comparison.

People on that side of the House who continue to stand up here and say that know that they are not telling the truth, and they should be ashamed.

• (1335)

[Translation]

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, the member spoke primarily about the part of the bill that deals with drugs. He spoke at length about marijuana and the fight against drug lords. There are many drug lords in Canada. First of all, these drug lords come from other countries. Also, this omnibus crime bill, which has absolutely nothing to do with drugs, is all over the board. The Conservatives want to criminalize anyone who has at least six marijuana plants for the purpose of sale. Those are minor offenders, not drug lords. Drug lords traffic in cocaine and drugs that are a lot harder than marijuana. The members opposite should not get carried away.

[English]

**Mr. Kyle Seebach:** Mr. Speaker, once again I am happy to provide some information for the members opposite who do not seem to have a clear understanding of this legislation.

When we are talking about dealing with people who are growing six plants, it is for the purpose of trafficking. Somebody who is producing six marijuana plants in their basement will produce hundreds of marijuana joints. These are not some poor individuals who are growing plants in their basement for personal use.

This legislation is targeted for people who are trafficking in drugs. I hope that with these explanations our friends on the opposite side of the floor can rise and support this legislation when it comes back to this House.

**Hon. John McCallum (Markham—Unionville, Lib.):** Mr. Speaker, I am pleased to add my voice to the rising opposition to Bill C-10, which is perhaps best characterized as the Conservatives' most recent piece of dumb on crime legislation.

Our understanding of crime and the appropriate way to handle those who transgress the rules of our society has evolved over the past 400 years. We have moved from a time when criminality was commonly associated with witchcraft to a society that far better understands the root causes of crime and better ways to handle criminals.

I am truly dismayed to see the government completely ignore the work being done on these important topics. It seems to be taking us back to the middle ages. That is not just empty rhetoric. Why do I say that they are taking us back to the middle ages?

First, it is obvious that the government cares not a whit about policies to fight the ultimate cause of crime. Second, it does not care about deterrence. If it did, it would have paid attention to a recent study by its own Department of Justice that was released a week or so ago, which provided evidence that longer sentences are not an effective deterrent to crime. Indeed, the results from that study are consistent with international evidence on the topic.

If the government does not care about fighting the ultimate cause of crime, if it does not care about deterrence, what is left? The only thing the government cares about is the principle of retribution or vengeance, and that is why I make the statement that it is taking us back to the middle ages.

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[Translation]

The notion of fighting the underlying causes of crime is not at all important to the Conservatives. At the same time, for the reasons I just explained, the principle of deterrence also appears irrelevant to the Conservatives. All that matters to them is the principle of retribution or revenge. In that sense, this bill takes us back to the Middle Ages.

• (1340)

[English]

Nobody in the House would deny that protecting the citizens of Canada from harm is the most important objective of government. In fact, the government is granted a monopoly on the use of force for just that purpose, but with that power comes the responsibility to act in an appropriate manner that benefits society.

Our country was founded on the principles of peace, order and good government, and good government means examining all the facts and opinions. It means talking to experts and making public policy decisions that are based on evidence, not knee-jerk ideological desires. Good government also means respecting Parliament's role in public policy debates.

My opposition to this bill stems from its ineffective and ideological nature, and from the government's inability or unwillingness to work with Parliament on this major issue of public policy. I can already hear that familiar refrain from the other side, soft on crime, soft on victims' rights.

Victims' rights and crime are very important and I find the constant use of victims as a shield for this ideologically-driven agenda to be offensive. I believe nobody in the House is opposed to supporting victims of crime. To suggest otherwise is simply insulting to the intelligence of Canadians.

Indeed, I might mention the case earlier today regarding my colleague, the member for Mount Royal, when he presented amendments that would strengthen the provisions in this bill to support victims of terrorism and add to the remedies against those who commit terrorist acts. It seems the government is not going to accept that amendment, but that is a concrete example of Liberals supporting remedies for those who are victims of crime or terrorism.

What does it mean to support victims of crime? It must certainly mean doing our best to ensure that crime does not happen in the first place or that those who break our laws should be treated in a way that will minimize recidivism. That is how we stand up for victims, by working to ensure that we reduce crime as much as possible and also through measures such as proposed by my colleague from Mount Royal.



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I have spoken about the Conservatives' crime agenda in general, but I also want to spend some time on this bill in particular. My primary concern with this bill is that it is fundamentally ineffective. According to Statistics Canada, crime is going down both in volume and severity. This should be trumpeted as a success. Crime is going down. Is that not our objective? When the government should be saying the evidence is saying its policies work, it instead says it does not believe the statistics. It claims the numbers do not matter, but they do matter. For the benefit of my colleagues on the other side of this place, I will go over a few of the facts that they choose to ignore.

As I said before, crime is down. Locking people up for longer does not necessarily make them less likely to reoffend, as I said just a few minutes ago. That is confirmed by a very recent study by the Department of Justice that was acquired through access to information. When we are dealing with young offenders, the negative effects of prison are only multiplied.

What the government needs to understand is that this is not just Liberal nonsense or lefty soft on crime rhetoric. Look at our neighbours to the south. The U.S. incarceration rate is 700% higher than ours. It has very nearly reached a point where fully 1% of the U.S. population is in prison. What does that mean for the U.S.? It means it continues to have higher crime rates than we do. It continues to spend billions more on prisons than we do. Some states, such as California, actually spend more on prisons than they spend on schools. Prisons are not the perfect solution to crime. That is simply outdated 18th century thought and nothing more.

For many criminals, prisons have not proven the palaces of reform that the Conservatives promise they will be. For many, it is simply a school for crime. Our prison system is already at its limit. This plan to dump thousands of new offenders into the system will simply break it. Low level offenders will enter the system after convictions for petty crimes and will leave having made new criminal connections and having learned the skills of the trade. That should never be the outcome of our justice system.

● (1345)

Despite all of this tough talk, one of the things we will not hear the Conservatives talking about during this debate is the mental health of our prisoners. It is widely understood by those who study crime that mental health issues are one of the biggest driving factors of criminal behaviour. Taking care of the mentally ill among us has been a failure of all levels of government for decades now.

As of 2007, 12% of the federal male prison population had a diagnosed mental illness. That is a 71% increase over 1997 and those figures are even worse for female inmates. Our prisons are not supposed to be substitute mental hospitals. In fact, I struggle to find a worse place for a mentally ill person.

Currently, aboriginals are incarcerated at a rate nine times that of non-aboriginal people. I believe that is simply unacceptable. Like most prisoners, they are in prison for non-violent property or drug offences. Time and time again we have seen that the solution to this vicious cycle is not more prisons.

I have covered some of the negative social costs of this dumb on crime agenda, but it is also important to talk about the fiscal costs.

The opposition has been asking the government for detailed cost estimates for its crime agenda. We have received nothing from the government except empty rhetoric. This is unacceptable. Parliamentarians are both policy-makers and the ultimate keepers of the public purse. We have a right to know the costs of the legislation that we are asked to support.

There is another consideration, and I will borrow a term from American politics: unfunded mandate. Yes, there will be significant federal costs, but we cannot ignore the impact these changes will have on provincial governments. These legislative changes, taken in concert with previous changes, will lead to many new provincial inmates at costs borne solely by the provinces.

The government has shown little respect for Parliament and its role, and it is also showing very little respect for provincial governments and their budgets.

[Translation]

**Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP):** Mr. Speaker, I would like to thank my colleague for sharing his thoughts on the bill that the Conservative government has introduced to amend the Criminal Code.

A little earlier, my colleague opposite said, with respect to the legislation concerning marijuana plants, that somebody who is producing six marijuana plants in their basement will produce hundreds of marijuana joints, whereas it is our understanding that when people sell to others, it usually consists of enormous quantities.

I would like to know what he thinks about this provision of the bill. Does he feel that it is logical to consider six plants as contraband?

**Hon. John McCallum:** Mr. Speaker, I thank my colleague for her question and I would raise two points.

First, we are opposed in principle to mandatory minimum sentences. Therefore, we are opposed to all the mandatory minimum sentences in this bill because we believe that judges should have discretion when making their decisions. As other members have said, mandatory minimum sentences can have the opposite effect because of negotiations between lawyers in the courts. Therefore we are opposed to this principle in the case she has mentioned as well as in general.

Second, in my opinion, six plants is not a huge number.

In more general terms, we are opposed to the principle of mandatory minimum sentences.

[English]

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Mr. Speaker, I listened to my friend across the way intently. I am a member of the justice committee and I want him to know that I am interested in what he has to say, but for the most part he is talking about costs to implement the bill.

I am wondering if he has had an opportunity to speak to victims and to ascertain the cost if the bill is not imposed, if we continue to have high amounts of violent crimes in this country, if we continue to have loss of property through damage committed by youth, if we continue to have psychological damage to individuals needing treatment, and the cost to society as a whole when some crime gets out of control.

Has he looked at those costs, the real costs that victims are concerned with? They are not concerned with the cost of implementing the bill. The only time it is concerned with that cost is when it is not actually affected by any crime.

We have heard from Canadians. They are impacted by crime. They want it to stop, and they want the bill and these laws to go forward.

• (1350)

**Hon. John McCallum:** Mr. Speaker, I do not accept this principle that the Conservatives have a monopoly on caring about victims. Our view is that this bill would create more victims because when we send young people into jail they learn to become criminals and when they get out they are more likely to reoffend. The Department of Justice has said that longer sentences do not deter crime. The best way to help victims is to reduce crime and the essential point of my remarks is that this law would not reduce crime. It would more likely increase crime and that cannot be good for victims.

My colleague from Mount Royal has proposed amendments to this legislation which would strengthen the provisions that would help victims of terrorism. If the government cares about victims, I hope it will accept the amendments proposed by the member for Mount Royal.

[Translation]

**Ms. Hélène LeBlanc (LaSalle—Émard, NDP):** Mr. Speaker, I would like to ask my colleague from Markham—Unionville to talk about crime in the province of Ontario. Government members have spoken about the situation in their ridings. They have shared what Canadians have told them. I would like my colleague to tell us about the views of the people of Markham—Unionville and, more broadly, of Ontario.

**Hon. John McCallum:** I thank my colleague for asking this good question. I am very lucky because Markham, part of the York region in Ontario, has one of the lowest crime rates in Canada. The police officers in this very multicultural community are extremely effective. The chief of police is well connected with all the cultural communities. The system works very well. In my riding, we certainly do not need this bill.

[English]

**The Acting Speaker (Mr. Bruce Stanton):** Before we resume debate, I need to tell the hon. member for Fort McMurray—

### *Government Orders*

Athabasca that I will need to interrupt him at about seven minutes into his speech for statements by members.

The hon. member for Fort McMurray—Athabasca.

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Mr. Speaker, thank you for the advance warning of my cutoff.

I have had an opportunity to practise criminal law in Canada for some period of time under the Criminal Code. In fact, I practised law for over 10 years in northern Alberta in a very busy criminal practice. Therefore, I speak to this matter first-hand. I want to let the previous member know that I saw the rotating door of the criminal justice system in Canada, especially in relation to youth offences, and I take exception to his statements relating to more crime. We heard some witnesses say that, but it is utterly ridiculous that if we send people to jail for more time there will be more crime. I do not think any normal Canadian would accept the premise of that member's comments.

However, I am very pleased today to talk about the important changes to the Youth Criminal Justice Act that are included in the safe streets and communities act. I think the title of this particular bill, the safe streets and communities act, is actually the purpose of the bill and exactly what the bill will accomplish once it becomes law. I am very proud to be part of that.

The proposed amendments to the Youth Criminal Justice Act are found in part 4 of Bill C-10, with a few exceptions. The proposals that are in the bill very much mirror the changes that were proposed in the former Bill C-4, Sebastian's law, which, of course, members are familiar with. This was introduced in the House of Commons on March 16, 2010. It was before the Standing Committee on Justice and Human Rights when Parliament was dissolved just prior to the May 2011 election.

The proposed changes to the Youth Criminal Justice Act reflect the concerns that I have heard clearly in committee and that I have heard for years from Canadians who have expressed concern about violent young offenders. When we think of our youth, we do not usually think of violence, but there is a certain minority of the population under the age of 18, youth, as our courts see them, who have no concern for society as a whole and who do commit very violent offences without thinking about the ramifications.

It also deals with youth who may be committing non-violent offences that, frankly, are spiralling out of control. I saw this time and time again. When we would look at a docket in Fort McMurray on a Wednesday, we would see the same names, not just for one week or two weeks but it would be a constant situation of young people who would be before the court on a continuous basis over the same issues. I do not think that is acceptable and I do not think Canadians find that acceptable because we continue to hear from them on that.

The package of Youth Criminal Justice Act amendments also respond to some other issues, particularly those issues that other Canadians and provincial Attorneys General raised with the Minister of Justice in his cross-country consultations.



### *Statements by Members*

I want to take a moment to compliment the minister for going door to door throughout the country, city to city, and talking to Canadians first-hand to find out exactly what they were interested in so that we, as a government, could do exactly what we are supposed to do, which is to reflect the priorities of Canadians. This bill would do exactly that.

These amendments also take into account and are responsive to key decisions of the courts, and these are courts right across Canada, provincial courts, territorial courts, superior courts of the provinces, and the Supreme Court of Canada, because, of course, the courts would reflect that, too, but it is ultimately our job as legislators to do that.

These positions also reflect what witnesses have told us. Victims groups and victims came forward and applauded this government on the bill and on specific things that we would bring about in this bill.

The reforms reflect the widely held view that, while the Youth Criminal Justice Act is working well in dealing with the majority of youth who commit crimes, there are concerns about the small number of youth who commit crime. It is a small number but it does not mean it is any less serious, in fact, it is even more serious because if we have an opportunity to deter these people early on in life they can then go back into society as a whole and become good citizens and contribute to society. However, these are people who, as I mentioned before, are repeat offenders and commit serious violent offences.

The proposed changes to the Youth Criminal Justice Act would do several things. First, they would amend the act's general principles to highlight protection of the public. That is very important because the judges, when they look at the act themselves, they can see that one of the primary concerns, which would seem fairly trite, would be to protect the public.

Second, the amendments would clarify and simplify the provisions relating to pre-trial detention, which is very important as well but has become quite cumbersome and complicated in the past years.

● (1355)

The third is to revise the sentencing provisions to include specific denunciation and deterrence factors as sentencing principles. Sentencing principles means that the judge takes that into consideration in the totality of the evidence put before him or her. This would broaden the range of cases for which custody will be available as well. Again, we heard clearly from Canadians that that is what they want.

Fourth is to require judges to consider allowing publication in appropriate cases where young persons are found guilty of violent offences. If we were to read the specific statute regarding this, we would see that it is very difficult for a judge to make that decision, but it is available to the judge if he or she feels it is in the public policy to do so, with some other criteria set out in the act itself.

Fifth is to require police officers to keep records of any extrajudicial measures they use in response to alleged offences by young persons.

Sixth is to define "violent offence" as an offence in the commission of a crime in which a young person causes, attempts

to cause or threatens to cause bodily harm and includes conduct that endangers life or safety. It is hard to believe that these particular factors as set out in the Criminal Code were not there before, but this adds that criteria to the sentencing provisions of the judge and the considerations for him or her.

Seventh is to respond to the Supreme Court of Canada's 2008 decision *R. v. D.B.* by removing the presumptive offence and other inoperative provisions from the Youth Criminal Justice Act and by clarifying the test and onus requirements related to adult sentences.

Finally, eighth is to require that no youth under 18 sentenced to custody will serve his or her sentence in an adult prison or penitentiary. That is very important.

● (1400)

**The Acting Speaker (Mr. Bruce Stanton):** The hon. member for Fort McMurray—Athabasca will have three minutes remaining for his speech and five minutes for questions and comments when the House resumes debate on the motion.

## STATEMENTS BY MEMBERS

[Translation]

### UYGHUR COMMUNITY

**Mrs. Maria Mourani (Ahuntsic, BQ):** Mr. Speaker, Amnesty International is warning of the assimilation policy the Uyghur community is being subjected to in the Xinjiang region of northwestern China. Apparently, any attempts by the Uyghur people to assert their linguistic, cultural and religious rights are being violently repressed through arrests and brutal detentions.

The Uyghur communities of Quebec and Canada have informed me that the Chinese government has even banned their language from universities and closed their mosques without any warning. They have also reported that a Canadian citizen of Uyghur origin, Husein Celil, is currently being detained in China for trying to have their rights recognized. He has no access to his family, to legal counsel or to consular assistance.

Rebiya Kadeer, president of the World Uyghur Congress, has met with the Prime Minister in order to inform him of the realities facing her community, but no action has been taken. I invite all parliamentarians to stand in solidarity with these people and to denounce this unacceptable situation.

\* \* \*

[English]

### CANADIAN WHEAT BOARD

**Mr. Ed Komarnicki (Souris—Moose Mountain, CPC):** Mr. Speaker, a number of constituents from Souris—Moose Mountain visited Parliament Hill yesterday to witness the historic vote ending the Canadian Wheat Board monopoly and allowing marketing freedom to western Canadian grain farmers.

Dale Mainil, who farms thousands of acres of land near Weyburn, Saskatchewan, was delighted with the outcome. He, along with his wife Deana and family, carry on the tradition of hard work and enterprise of their parents Jerry and Orlanda Mainil.

With him was Herb Axten of Minton, Blair Stewart from Fillmore and Allan Johnston from Welwyn. They all see the great potential and opportunity that was released by freeing up farmers from being compelled to sell to the Canadian Wheat Board.

Blair Stewart, with experience as a processor of specialty crops, and Allan Johnston, a grain and specialty crop broker, see great potential for increased returns and value-added opportunities.

To them and the many others who supported the cause, I hope and trust that the next generation of young farmers will be able to reap the benefits of their action and unwavering determination.

\* \* \*

### CHILD POVERTY

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, 22 years ago this month, Mr. Ed Broadbent introduced a landmark motion to end child poverty by the year 2000. His motion received unanimous support in the House, but over two decades later, the number of children living in poverty today is at almost the same level as it was in 1989.

In fact, out of the 24 richest nations in the world, Canada ranks 17th in caring for its children in poverty and 38% of food bank users are children. There are more food banks in Canada today than there are McDonald's. One in nine Canadian children lives in poverty. My province of British Columbia just took the dubious honour of having the highest rate of child poverty in Canada for the eighth year in a row.

Research by the Canadian Centre for Policy Alternatives in B.C. shows the cost of poverty is between \$8.1 billion and \$9.2 billion every year. Investing in a poverty reduction plan would cost only half of that.

This holiday season I urge all members to support organizations of their choice, such as local food banks or the United Way, but if we want to give true meaning to the spirit of Christmas, then we need to act here in Parliament right now to end poverty.

\* \* \*

### LONDON KNIGHTS

**Mr. Ed Holder (London West, CPC):** Mr. Speaker, Canada's 10th largest city is home to the London Knights hockey team and its legendary coach Dale Hunter.

The London Knights have long been a cornerstone of both the London community and southwestern Ontario. Head coach Dale Hunter is a name synonymous with the triumphs of the Knights, today rated the number one hockey team in the Ontario Hockey League. He led the team to its 2005 Memorial Cup win, four straight season titles, and has the distinction in his era of coaching more players who have gone to the NHL than any other junior coach. They have included Corey Perry, John Tavares, Rick Nash, Pat Kane and Nazem Kadri to name but a few.

### Statements by Members

Dale himself is a former NHL superstar who, as team captain, brought the Washington Capitals to the Stanley Cup finals. Now after 11 years with the London Knights, Dale returns to the Capitals as head coach.

We will miss Dale behind the Knight's bench, and Londoners wish him every success.

This is just one more example of a great Canadian export to help the United States.

On behalf of all Londoners, I thank Dale Hunter. It has been a great ride.

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### GERALD VANDEZANDE

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, I rise today to place into our national record my commendation of a very extraordinary Canadian, a man who was not only a champion of justice, a voice for the voiceless, a man of deep and compelling faith, but a mentor and cherished friend.

His name is Gerald Vandezande. Sadly, Gerry passed away on July 16. The catalogue of his achievements and contributions to his community and his country is far too long to list in a short time.

He was called "Canada's unassuming prophet". He was the founder of the faith-based organization known as Citizens for Public Justice, a group which advocates for those in our society who are easily forgotten, children, the poor, and on many other issues of social justice to which our faith in God and faith in the dignity of humankind calls us to act. In his book *Justice, Not Just Us*, Gerry expands on the intersection of faith and politics.

For his work Gerry, received the Order of Canada and the love and incredible respect of his friends and colleagues.

Gerry loved the prophet Micah: seek justice, be merciful, and walk humbly with God.

On behalf of all parliamentarians, I offer my love and condolences to Gerry's wife and his family.

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● (1405)

### 22 WING CFB NORTH BAY MUSIC BAND

**Mr. Jay Aspin (Nipissing—Timiskaming, CPC):** Mr. Speaker, Lieutenant-General Charles Bouchard, commander of the NATO military mission in Libya, is living proof that we have some of the best military personnel in the world. Besides their military responsibilities, our people in uniform contribute so much to their communities across this great nation.



*Statements by Members*

Such is the case with Warrant Officer Dale Kean from my riding of Nipissing—Timiskaming. Twenty years ago he established the 22 Wing CFB North Bay Music Band, a group of 65 military personnel of auxiliary volunteer musicians. This talented group has performed in over 1,000 military ceremonies and events across Canada. He and the 22 Wing do this for the love of music, the love of our people, the love of our community and their love of Canada.

Warrant Officer Kean is a shining example of the community spirit in our Canadian military. On behalf of the people of Nipissing, I salute him and his band for the wonderful work they do.

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[Translation]

**CANADIAN HIV/AIDS AWARENESS WEEK**

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, today I wish to recognize Canadian HIV/AIDS Awareness Week, which runs from November 24 until World AIDS Day on December 1. This is an opportunity to acknowledge and celebrate the invaluable work of health professionals and agencies such as COCQ-SIDA and the Canadian AIDS Society in raising public awareness about the risks related to this devastating disease and how to prevent it from spreading. Despite such efforts, there are still more than 3,000 new cases of AIDS in Canada every year. We must recognize the important contribution of those who help people who have HIV/AIDS, their families and their loved ones.

I was saddened to learn that, because of this government's inaction, funding for these agencies is in jeopardy. Many will no longer be able to continue their activities or pay their employees beyond March 31, 2012. We must continue to support research into finding a cure and support the various stakeholders who work on prevention and awareness, since contracting HIV/AIDS is preventable. I hope the government will do the right thing.

\* \* \*

[English]

**FREEDOM OF SPEECH**

**Mr. Rob Anders (Calgary West, CPC):** Mr. Speaker, "I may not agree with what you say, but I will defend to the death your right to say it". These were the words of Voltaire and it is in this spirit that I would like to voice my support for private member's Bill C-304 titled "An Act to amend the Canadian Human Rights Act" put forward by the member for Westlock—St. Paul.

Similar private members' bills have been introduced in the past, Keith Martin and the member of Parliament for St. Catharines deserve note.

Freedom of speech is a fundamental right that all Canadians should be able to exercise without a government watchdog. Many Canadians in the past have fought and died for our free speech. Many have already criticized section 13 of the Canadian Human Rights Act for its subjective and ambiguous nature.

Therefore, I encourage all parliamentarians in the House of Commons to support Bill C-304 and allow for true freedom of speech.

**THE ENVIRONMENT**

**Ms. Michelle Rempel (Calgary Centre-North, CPC):** Mr. Speaker, as the Durban climate change conference begins, let us review the record of the NDP and Liberals on climate change policy.

Under the Liberals, Canada's GHG emissions increased by 27%. Canada's carbon dioxide emissions rose between 1997 and 2005. They proposed a carbon tax, a tax on everything, which was rejected by Canadian voters.

The NDP members support a tax scheme which would hike gas prices by 10¢ per litre. They voted against investing hundreds of millions of dollars to support tangible action to address climate change.

In stark contrast, our government is balancing the need for a cleaner environment with protecting jobs and economic growth. We are taking action to reduce Canada's GHG emissions by 17% below 2005 levels by 2020, and we are making good progress.

\* \* \*

● (1410)

**INFRASTRUCTURE**

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, I am so proud to represent the wonderful riding of Halifax, a hub of creativity and innovation. Investing in cities like Halifax makes good economic sense. It is an essential part of our long-term plan for community development.

Beyond wanting to ensure that our cities are vibrant, green and healthy places to live for future generations, infrastructure investments in our cities create jobs and increase our quality of life through increased public transport, better housing and the green projects needed to transition Canada to the economy of the future.

The numbers prove it. While corporate tax cuts result in only a 30¢ return on the dollar, infrastructure investments contribute more than \$1.50 in additional GDP for every dollar invested.

Public consultation is an indispensable part of determining what investments should be made. I am proud to point to the consultations carried out in the design of Halifax's new public library, which have resulted in a multipurpose, forward-thinking community designed hub that meets our community's needs.

It is time to invest in Halifax and time to invest in our cities.

## VIOLENCE AGAINST WOMEN

**Mr. Kyle Seeback (Brampton West, CPC):** Mr. Speaker, Canada and the world are marking 16 days of activism against gender violence.

Gender-based violence has many faces. Anyone can be a victim, regardless of their age, income level or where they live. It can be verbal, physical, emotional, psychological, sexual or financial.

Physically, it can be a threat or a slap, being choked or beaten. The effects can be bruises, broken bones or worse, even death. Other injuries, while hidden from view, are no less devastating.

Our government is taking concrete steps to help improve the safety of women. This includes actions against human trafficking, providing support to its victims, the majority of whom are women and girls. Stopping violence against women and girls is up to all Canadians. By working together, we can all be part of the solution.

\* \* \*

[Translation]

## HELP CENTRE FOR VICTIMS OF SEXUAL ASSAULT

**Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP):** Mr. Speaker, the Centre d'aide et de lutte contre les agressions à caractère sexuel, a sexual assault help centre located in my riding, is celebrating its 25th anniversary. I would like to express my support for the efforts by the centre's workers to combat sexual assault.

When these very capable people come to me and share their indignation about the government's plan to abolish and destroy the long gun registry, I listen to them. The government should do the same. Clearly, this government is not listening and is not hearing anything.

Congratulations to the help centre on its work and its commitment.

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[English]

## THE NEW DEMOCRATIC PARTY OF CANADA

**Mr. Bob Zimmer (Prince George—Peace River, CPC):** Mr. Speaker, the NDP again voted against marketing freedom for western Canadian farmers.

This comes on the heels of the NDP voting against helping the manufacturing sector, against small businesses hiring more people, against new tax credits for families, like the family caregiver tax credit and the children's arts tax credit, and against the volunteer firefighters tax credit.

The NDP is opposed to mining, sealing, forestry, auto manufacturing and trucking. The NDP even goes abroad to attack hundreds of thousands of Canadian jobs in the energy sector.

The NDP oppose creating jobs and then drive the point home to go abroad and attack Canada. The NDP chooses to side with a small group of radical activists protesting against our energy resources.

The NDP also wants to hit families and job creators with a job-killing tax hike that will kill jobs, hurt our economy and set families back.

## Statements by Members

## CHILD AND YOUTH NUTRITION STRATEGY

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, almost three years ago the Toronto Foundation for Student Success asked staff and principals of schools in an at-risk community what help they wanted to deal with issues that were the result of poverty and gun violence.

The foundation expected requests for after school activities and security supports, but the unanimous request was food for kids. Really, it was simple: hungry children cannot learn. Hungry children have concentration issues. Children with concentration issues have behavioural issues. Hungry children have a myriad of health issues.

Right across the country, in provinces and territories, communities are asking for federal leadership to develop a comprehensive pan-Canadian child and youth nutrition strategy and to fully fund on-reserve aboriginal student meals. This makes good economic sense from the perspective of reduced health costs, lower crime rates and increased revenue for Canadian farmers.

Let us stand together and take care of Canadian children.

\* \* \*

● (1415)

## JEAN CASSELMAN WADDS

**Mr. Gordon Brown (Leeds—Grenville, CPC):** Mr. Speaker, one of Canada's female political pioneers, Order of Canada recipient, Jean Casselman Wadds, of Prescott, in my riding of Leeds—Grenville, passed away November 25.

Mrs. Casselman Wadds became an MP in a byelection following the death of her husband, A. C. Casselman, who was MP from 1921 until 1958.

She and her father, the Hon. Earl Rowe, remain the only father and daughter ever to sit as MPs in the same session. Mrs. Casselman Wadds became the first woman in Canada to be a parliamentary secretary.

She was the first woman appointed by the Canadian government as a delegate to the United Nations and in 1979 she was the first woman appointed Canadian High Commissioner to Great Britain.

Prime Minister Trudeau credited Mrs. Casselman Wadds as one of three key women responsible for the repatriation of the Canadian Constitution, along with Queen Elizabeth and British Prime Minister Margaret Thatcher.

She was always kind to me and I offer my condolences to the family of Jean Casselman Wadds, her daughter Nancy and son Clair and the community she served so well for so long.



*Oral Questions**[Translation]***ATTAWAPISKAT**

**Mr. Jonathan Genest-Jourdain (Manicouagan, NDP):** Mr. Speaker, today we are witnessing the danger that comes with having a Prime Minister who is out of touch, who feels that his government is not responsible for helping to lift Canadians out of poverty.

It has been one month since the community of Attawapiskat requested emergency assistance to provide housing for families as winter approaches. It is a horrible situation. Families are being forced to live in deplorable conditions, in shelters that are not insulated and have no running water. Some families are living in trailers with no bathrooms. What does this out-of-touch government do? It blames the community.

If the Prime Minister is wondering what to do, he should follow the example of our leader, the hon. member for Hull—Aylmer. She is currently in Attawapiskat with the hon. member for Timmins—James Bay. She is meeting with members of the community. She is listening to them and trying to come up with solutions. She is showing them that there are people in Canada who are there for them in such times of crisis. She is doing what the Prime Minister should be doing, the work he refuses to do. Why? Because that is real Canadian leadership.

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*[English]***TAXATION**

**Mrs. Shelly Glover (Saint Boniface, CPC):** Mr. Speaker, the interim Liberal leader has called for an end to tax credits for children, transit users and workers. The Liberals also continue to call for higher taxes on job creators, despite the current global economic uncertainty. The member for Vancouver Quadra is calling for Canada to impose European-style carbon taxes, and the member for Saint-Laurent—Cartierville wants a global carbon tax.

If the Liberals had their way, Canadians would be paying substantially more for gas for their cars, electricity for their homes and everything else they have to pay for.

*[Translation]*

The Liberal's carbon tax plan would kill jobs and hurt Canadian families and job creators. Clearly, the Liberal Party does not have any original ideas; it simply focuses on raising taxes. We cannot wait—

*[English]*

**The Speaker:** I am afraid the hon. member is out of time.

**ORAL QUESTIONS***[English]***THE ECONOMY**

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, the OECD warns of troubled global financial markets and family debt levels of Canadians are bad news for our economy. It says that the outlook for the Canadian economy has worsened

significantly. The OECD predicts growth for next year almost one full percentage point below budget projections and below the minister's recent revision.

Canada lost 72,000 full-time jobs last month. Canadians' wages are plummeting. How much more evidence does it take for the government to act? How much more evidence does it take to make the next budget an investment budget for Canadians?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, first of all, the OECD's projections are actually very close to the government's in the economic and fiscal update. The policies that we have followed have created nearly 600,000 jobs in Canada. It is one of the best records in the world. That includes some significant investments that the NDP voted against.

Let me be very clear that the things the NDP advocates for the Canadian economy, such as raising taxes, shutting down industries, blocking trade, will never be the policies of this government.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, bogus figures do not help.

Slumping growth is not the only wake-up call today. Canada has a whopping record deficit in its balance of payment. It is among the worst of all industrialized countries. This is evidence of a failed export strategy. Canadians have already borrowed more than \$39 billion from offshore this year to finance that deficit.

The government does little to boost our value-added exports that create good jobs right here in Canada. No wonder we are in trouble. Canadians work longer for less under the Conservative government.

Where is the plan to turn things around? When are the Conservatives going to learn from their mistakes instead of covering them up? Where is the jobs plan? Where is the value-added—

• (1420)

**The Speaker:** The hon. minister of state.

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, in fact there was a plan. I would remind the hon. member that he voted against it. In fact, every time we bring a plan forward to help create jobs, to help reduce taxes for businesses that actually do create jobs in this country, the NDP members stand up and vote against it. Then they stand up and ask us to extend the programs that they voted against. I am a little unsure of what they are going to ask next.

*[Translation]*

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, the NDP voted against the government's failures, and there have been many.

Unfortunately, under the Conservatives, Canada's trade deficit has increased from \$16 billion to \$81 billion: fail. Household debt has reached a record high: fail. Last month, 72,000 jobs were lost: fail. Two million Canadians are out of work: fail. Wages are decreasing: fail.

Will the Prime Minister hear the alarm bell? Will he finally wake up and take care of Canadian families by creating an employment plan and thus turn this government's failures into successes?

[English]

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, the only alarm Canadians are hearing is when members of the opposition vote against things. Two Mondays ago, they voted against job creation tax credits for small businesses. That is a failure. They voted against the family caregiver tax credit, another failure of the NDP. They voted against the children's arts tax credit. I could go on and on of all the things the NDP has voted against.

There are almost 600,000 more Canadians working than there were at the end of the recession. That is success for those people.

\* \* \*

### ABORIGINAL AFFAIRS

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, it has taken a month-long state of emergency for the government to finally wake up to the crisis at Attawapiskat. Children and entire families are living in tents and dilapidated sheds with no heat and are now exposed to dropping temperatures. Attawapiskat families have lived like this for years. They need more than band-aid solutions.

Why will the government not work with the community on a long-term infrastructure solution before winter sets in, right now? Why is it letting the Red Cross do the job?

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, reasonable Canadians agree that the people of Attawapiskat deserve warm, dry and safe shelter. Since coming to office, our government has invested over \$92 million in Attawapiskat. That is \$52,000 for every man, woman and child. We are not getting the results that we thought we should get.

I have officials in the community and they are making progress to ensure people are appropriately housed.

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, last week that minister was blaming the Attawapiskat community for the problems.

[Translation]

The crisis in Attawapiskat is just one example of what happens when the government turns its back on the first nations.

Half a million people live on reserves and many of them do not have heat or running water. The AFN estimates needs at \$160 million a year.

Why does this deficit exist? Where is the plan to help Attawapiskat and other first nations communities?

[English]

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, we have invested in water infrastructure across the country in an unprecedented fashion. We have spent \$2.5 billion since we formed government on water and waste water systems.

### Oral Questions

We will be tabling legislation in this House to make sure we have enforceable standards and regulations for water and waste water. We are developing a plan that will take care of people in Attawapiskat in the short term, and that is what is needed.

• (1425)

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, there are 19 families living in tents and sheds with no running water. There are 122 families living in condemned housing. There are 96 people living in a large trailer.

The Red Cross has gone up there and is due to arrive in the community. It will be providing generators, heaters, winter clothing and insulated sleeping equipment. The Government of Ontario has sent teams from the emergency management scheme in the province.

I would like to ask the Prime Minister, how does he feel about this complete failure of federal responsibility with respect to the people who are living in Attawapiskat at present?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, as the minister already pointed out, since coming to office, this government has spent some \$90 million just on Attawapiskat. That is over \$50,000 for every man, woman and child in the community. Obviously, we are not very happy that the results do not seem to have been achieved for that. We are concerned about that. We have officials looking into it and taking action.

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, in fact, the number the Prime Minister is using also includes the cost of all education in Attawapiskat.

It would seem that the implication of what the Prime Minister is saying is that it is the people of Attawapiskat who are responsible for the problems they are facing. That is a disgraceful response from the Government of Canada.

When will the government start taking responsibility for this deplorable situation, which is an embarrassment to the reputation of the entire country?

**Right Hon. Stephen Harper (Prime Minister, CPC):** What I am saying, Mr. Speaker, is that the Liberal Party's suggestion of simply throwing money is not the solution.

This government has made significant investments and has taken its responsibility seriously. This government will continue to do so. We will make sure we get the results we need.

[Translation]

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, it is disgraceful for a government to waste money like the Conservatives did to host a party for representatives of visiting countries when there are people with nowhere to live, no heat and no work. They do not have the absolute basic living conditions that everyone in Canada should have.

When will the government accept the responsibilities it has under the Constitution and its moral obligations with regard to the conditions that exist in our country's major cities?



*Oral Questions*

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, when this government spends \$50,000 for each person in the community for a total of over \$90 million, it is not wasting money. We expect to achieve results and we will work with communities to ensure that we do.

\* \* \*

[English]

**THE ENVIRONMENT**

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, yesterday the South African high commissioner spoke about the reports that Canada may be withdrawing from Kyoto. She called the move disturbing and disappointing. She said it will undermine the negotiating process at Durban because Canada has not only planned a withdrawal, but has actively lobbied other countries to do the same.

The minister has admitted he has no intention to negotiate a new climate deal, and he has not denied his intention to withdraw from Kyoto. At the same time, the minister has said that his intentions in Durban are not to derail the negotiations on climate. Will the minister tell us what his intentions really are?

**Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC):** Mr. Speaker, instead of talking about intentions, let us talk about real action with regard to climate change: \$250 million to support regulatory activities to address climate change and \$86 million to support clean energy regulatory reforms. New Democrats voted against this.

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, why do I not take a crack at deciphering what the intentions are?

We know that the Conservatives are waiting until December 23 to announce their withdrawal from Kyoto. If a country withdraws from the agreement, it does not take effect for one year. That means that Canada can try to sabotage the negotiations this year in Durban and next year in Qatar.

It is this kind of behaviour that denigrates and undermines Canada's reputation internationally. Will the minister admit that this is his plan?

**Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC):** Mr. Speaker, agreements that do not include major emitters like China and the United States will not work. That is why we remain committed to reducing Canada's greenhouse gas emissions by 17% below 2005 levels by 2020. We are making good progress through tangible action that we have taken here at home. We are proud of this record.

● (1430)

[Translation]

**Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP):** Mr. Speaker, by neglecting the environment, this government is jeopardizing the health of our families and of the economy. The Conservatives are turning their backs on the international community so that they do not have to be accountable for their greenhouse gas emissions. Reneging on their commitments to Canadians and other countries is a strategy that hurts everyone.

Why is the government refusing to table a credible plan that takes the environment and the economy into account?

[English]

**Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC):** Mr. Speaker, I am glad my colleague opposite has acknowledged a fundamental point. We need to balance our environment and the economy and this is what we are doing. This is a principle that the opposition would gladly throw to the wind when it denigrates our oil sands sector.

Our government's sector-by-sector approach, which is being developed by a robust consultation process, is designed to meet a tangible target of reducing greenhouse gas emissions by 17% below 2005 levels by 2020, while being cognizant of Canada's economic growth. This approach is prudent and action focused and we are proud of it.

[Translation]

**Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP):** Mr. Speaker, after seeing the Conservatives drag their feet for six years, major trade partners are slamming doors in our face. They disapprove of the government's environmental choices. Not only are the Conservatives isolating us from the rest of the world, but their inaction is costing us jobs here in Canada.

Why does this government refuse to understand that it is possible to create good-quality jobs while investing in clean energies, as our partners are doing?

[English]

**Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC):** Mr. Speaker, \$40 million for Sustainable Development Technology Canada was included in this year's budget. Again, our government is committed to clean energy and the New Democrats keep voting against measures to support it.

\* \* \*

**CANADA-U.S. RELATIONS**

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, Conservatives are not only dropping the ball internationally but also here at home.

Under the secret deal the government is negotiating, Americans will have new powers to track Canadians. The government is keeping us in the dark about what this means for Canadians' privacy. The Privacy Commissioner is calling for more transparency, saying we should enter into the border deal with both eyes wide open, but the government is pulling the wool over the eyes of Canadians.

When will it tell us what is on the table?

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, work is in progress with the Obama administration to try to establish an agreement that protects and promotes jobs in this country. We want more economic growth, and we do not want the border to become a wall. We want more trade and more jobs here in Canada. That is important for every part of this country, but nowhere is it more important than in Windsor, Ontario, where the auto sector desperately needs less congestion at the border.

We are committed to continuing to fight for jobs in Canada and we are committed to working with the Obama administration.

*Oral Questions*

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, we all know that when the government negotiates with Americans, it is Canadian families that lose, and jobs that are lost.

Protecting Canadians does not mean hiding the truth from them. However, that is what the government is doing, in softwood lumber, buy American, thickening the border, and the list goes on and on. Now our privacy is at risk. Why can the government not come clean with Canadians and show what is being negotiated away in the secret deal?

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, this is a work in progress. Work continues and when we have an announcement to make, I will certainly do that.

Let me say this. We strongly believe in the rights of Canadians, in Canadian sovereignty and in privacy. These are the types of values we bring to the negotiating table. What is beyond dispute is that we have to protect Canadian jobs, and we have to promote policies that will help job creation and economic growth. That is why this government is focused like no other government among the G7; it is getting results for the economy. We are going to continue to work hard to protect Canadian jobs.

\* \* \*

**JUSTICE**

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, the government's prisons agenda in Bill C-10 is being rammed through despite overwhelming opposition from all sides. Police chiefs say it is unbalanced. The Canadian Bar Association and crown prosecutors say it will overload our justice system. The provinces are unable to pick up the tab. Even the government itself recognized flaws and proposed amendments here today, which were ruled out of order.

Why is the government's approach to go it alone? Why do the Conservatives refuse to work with others on crime prevention and insist on rushing through this flawed bill?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** First of all, Mr. Speaker, when we want to talk police officers we only have to consult with our own caucus here because of all the police officers who are part of the Conservative caucus.

That being said, as long as the hon. member is raising the matter, Chief Vern White, from the Ottawa Police Service, said, "We do believe that minimum sentences in relation to the charges or offences identified in this legislation would assist us".

Superintendent Don Spicer, from the Halifax Regional Police, said, "The current sentencing norms simply do not reflect the public's expectations and the only way for Parliament to achieve balance is through mandatory minimums".

This should have the support of the hon. member and everyone in this House.

● (1435)

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, the opposition has put forth practical amendments that will make our communities safer. Why will the Conservatives not vote for these? Why are they barreling ahead on this unbalanced approach of going it alone? Where is the commitment to the police chiefs who are

calling for a balance, to our provincial partners and to families who want to see more front-line police to keep our streets safe?

How much are taxpayers going to have to pay for this prisons agenda just because the Conservatives are incapable of working with others?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, the hon. member never asked what victims will have to pay if we do not change the laws.

The NDP has trouble with the idea of going after violent criminals and child pornographers and those who molest children. Why do they not stop attacking farmers who want to sell their wheat or have a long gun? Why not start attacking violent criminals just to mix it up for a change?

[Translation]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, they will say just about anything. We have already voted for harsher sentences for pedophiles.

By going against the recommendations of the provinces and experts, the Conservatives are preparing to throw hundreds of millions of dollars out the window, not to mention putting all those people in jail without it having a deterrent effect. To act in this way is to ignore Quebec's 40 years of expertise in rehabilitation. The government claims to be tough on crime, but imposing this bill will only make the situation worse and will stick the provinces with an enormous bill.

Will this government realize that this money does not belong to it but to Canadians?

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, we recognize that Quebec has jurisdiction over criminal justice and can take action with regard to rehabilitation. In fact, Minister Fournier came to see us and we agreed to one of the three recommendations he made. What is more interesting is that Premier Charest sent two of his ministers to try to discuss the necessary amendments.

Why did he not have faith in the NDP opposition?



*Oral Questions**[English]***THE ENVIRONMENT**

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, this fall the minister said inaction on greenhouse gas emissions would lead to a “cataclysmic day”. Despite this understanding, all the government has done on climate change is slash programs and take Canada backwards.

Now we learn that the government is signalling its withdrawal from its international climate obligations. If the minister accepts that climate change is real, as he claims, and the government promises accountability and transparency, why is it planning to withdraw after the Durban conference?

**Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC):** Mr. Speaker, let us talk about something that is cataclysmic: signing on to an international accord with no plans to implement it. That is what a Liberal government would do.

Let us talk about its record. Under the Liberal government, Canada's carbon dioxide emissions rose between 1997 and 2005. We have a plan, an action plan and it is working.

*[Translation]*

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, to distract us from the minister's incompetence and to counter its miserable record on the environment, this government has announced with gusto a paltry \$120 million annually to fight climate change in Canada. In the past three years, Quebec alone has invested almost twice that amount, \$200 million per year.

Do the Conservatives really believe that such a pittance will make us forget the six years of inaction, obstruction, ignorance and bad faith?

*[English]*

**Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC):** Mr. Speaker, I would encourage the colleague opposite to actually read the budget before voting against it. What is included in the budget is \$252 million to support regulatory activities to address climate change and air quality. I could go through the list of the hundreds of millions of dollars that we have prudently invested to take care of Canada's environment, a record of which we are proud.

\* \* \*

**CANADA-U.S. RELATIONS**

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, disturbing details indeed are emerging about the perimeter security deal that the Prime Minister will sign next week with President Obama. Reports show data on the travel movements of Canadians will be routinely shared with United States authorities. Personal information on Canadians will be given over to a foreign country.

Will the Minister of Foreign Affairs confirm that, if John Doe from Hunter River, P.E.I. travels from Charlottetown to London, England, this information will indeed be shared with the United States? Will he be honest and confirm that this is true?

● (1440)

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, work is still under way regarding this issue. When there is an announcement to be made on an agreement to protect Canadian jobs and to promote economic growth, we will certainly make that.

Concerning Canadians travelling abroad, obviously whenever we travel to a foreign country we have to bring a passport and that is important for international security. I can assure the member opposite that we will work to protect Canadian sovereignty and to protect Canadian privacy. We will work to ensure that we do the best thing for the Canadian economy to help create more jobs, more hope and more opportunity.

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**CITIZENSHIP AND IMMIGRATION**

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, the former chair of the Immigration and Refugee Board is pointing to an alarming trend in tribunal decisions. Ninety per cent of appointments were made by the Conservatives. We have the lowest rate of refugee approvals in Canadian history. Refugee cases should be based on merit and need, but the former chair is accusing the Minister of Citizenship, Immigration and Multiculturalism of injecting partisan politics into the judicial process.

Why is the government tainting a system that should be independent and fair?

**Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC):** To the contrary, Mr. Speaker, this government put in place by far the most rigorous pre-selection and screening process for appointees to the IRB in the history of our asylum system. Only 10% of the people who apply for membership in the IRB make it through the independent and arm's-length pre-screening process. I can attest to the quality of those individuals. I have been responsible for recommending over 140 appointments or reappointments and all of these individuals have made it through this rigorous, independent pre-screening process.

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, maybe the Minister of Citizenship, Immigration and Multiculturalism should stop recommending, because more than half of current IRB members have either failed the qualifying exam or been screened out for incompetency. This is a former chair of the IRB who is speaking out. He said the IRB is “not fully independent” and the minister's improper criticism of refugee claimants is “unprecedented” and its rulings are causing division in the Federal Court.

When will the Minister of Citizenship, Immigration and Multiculturalism start doing his job, put competence ahead of politics and ensure that we have a fair IRB process?

**Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC):** Mr. Speaker, again, 90% of people who apply for membership in the IRB do not make it through the pre-screening process. Only 10% are recommended. That is one out of every ten.

**An hon. member:** They're all Conservatives.

**Hon. Jason Kenney:** No, Mr. Speaker, they are not. In fact, I am aware of I think 2 out of 140 who have any association with the Conservative Party, unlike the Liberals who appointed the spouses of members of Parliament, the spouses of Liberal senators and failed campaign managers. The Liberals used the IRB as a partisan dumping ground. We have respected its role as an independent, quasi-judicial organization.

**Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP):** Mr. Speaker, on Friday we learned that the government plans to slash \$31.5 million from immigration settlement services in Ontario. Community organizations are already struggling because of similar cuts last year and the year before. Ontario remains the number one destination for immigration in Canada. Why is the government making it harder for newcomers to access the services that they need?

**Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC):** To the contrary, Mr. Speaker. We are now providing three times more in funding for immigrant settlement services in Ontario than was the case under the previous Liberal government. Next year, Ontario newcomers will receive more than was the case in 2005. It is true, however, that the number of immigrants settling in Ontario has declined quite significantly, from 64% to 52% of newcomers. They are going to other provinces; it is only fair that the settlement dollars follow the newcomers and that we have fair funding across the country.

**Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP):** Mr. Speaker, the minister says he is doing better than bad. I guess that is the level that the government has set for itself.

With this shuffling of funds, we are still looking at an overall cut of \$6 million and \$45 million in cuts from two years ago, but the number of newcomers is at an all-time high. Pitting province against province is not going to solve the deficit.

This decision to cut services in Ontario was done without planning and with no warning. New Canadians are huge contributors to prosperity in this country. Will the minister maintain the key supports and services they need to thrive in this country?

● (1445)

**Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC):** Mr. Speaker, the premise of the question is completely inaccurate. There has been a great deal of planning by my officials over the course of two years to ensure that the adjustment in funding from Ontario to provinces with growing immigration numbers happens in an orderly fashion.

In terms of giving people notice, we just gave notice this week to the small number of organizations in Ontario that will be affected at the beginning of the next fiscal year. We have given them several months' notice.

### Oral Questions

The question is, why does the member think that newcomers to Ontario should be receiving \$4,000 per capita in settlement services but that those in the rest of the country should receive only \$3,000? We believe that newcomers all across Canada deserve the same support.

\* \* \*

### CANADIAN WHEAT BOARD

**Mr. Garry Breitkreuz (Yorkton—Melville, CPC):** Mr. Speaker, our government has always believed that western Canadian grain farmers deserve marketing freedom. We have always believed in property rights and that farmers deserve to determine how and when they will market their produce.

Yesterday was third reading of Bill C-18, the marketing freedom for grain farmers act.

Farmers want freedom. Could the Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board please inform the House how our government is delivering on its promise to bring marketing freedom to western Canadian grain farmers?

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):** Mr. Speaker, I thank my colleague from Yorkton—Melville for his great work on this issue.

Yesterday history was made in the House when members of Parliament passed Bill C-18, the historic marketing freedom for grain farmers act. Once Bill C-18 receives royal assent, western Canadian grain farmers will be able to determine where and when and to whom they sell their grain. They will finally have the choice of a voluntary Canadian wheat board or the open market.

Bill C-18 is now with the Senate. Senators know its swift passage will finally grant western Canadian grain farmers the marketing freedom they so richly deserve.

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### ROYAL CANADIAN MOUNTED POLICE

**Mr. Jasbir Sandhu (Surrey North, NDP):** Mr. Speaker, the government's out-of-touch management has brought the RCMP to a crisis point. There was bullying of the provinces in contract negotiations, there were allegations of pervasive sexual harassment, and now there are questions about whether there are enough front-line officers to protect Canadians.

The RCMP's annual budget has doubled over the last decade. RCMP headquarters is bursting at the seams. Why has the growth in front-line officers not kept pace?



*Oral Questions*

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, I might remind the member that it was our government that hired 1,800 new front-line RCMP officers and provided \$400 million to provinces to recruit officers. The former Liberal government took the irresponsible step of shutting down the RCMP depot in Regina.

We are examining all government spending across the board, particularly in headquarters staff, to ensure taxpayers get the best value for their dollars, and the RCMP is no different in that respect.

[Translation]

**Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP):** Mr. Speaker, the lines prepared for the minister do not conceal the reality. The government's plan includes cuts to the RCMP. This has been confirmed by the Auditor General. The government's aggressive approach has already forced the RCMP to make cuts to investigations into organized crime, drug traffickers and white-collar criminals. The government's plan for the RCMP does not make sense.

Why sacrifice the quality of police services in Canada? Why ask the RCMP to do more with less?

[English]

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, perhaps I could repeat again that it was our government that hired 1,800 new front-line RCMP officers. We provided \$400 million to provinces in terms of their responsibilities to hire and recruit officers; as I pointed out, it was the former Liberal government that shut down the RCMP training depot.

When we came into office, we went from 300 officers a year in terms of training to 1,800 a year. We are committed to front-line policing.

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**NATIONAL DEFENCE**

**Mr. David Christopherson (Hamilton Centre, NDP):** Mr. Speaker, Conservatives' lack of transparency on spending reached a new low this week. When the media asked how much the Department of National Defence's HQ renovation would cost, the government responded by saying, "Go file an access to information request".

Now we find out that this paranoid government had the number of \$623 million all along but would not release it to the public, so I ask the minister this question: what could possibly be the justification for keeping this number secret?

• (1450)

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, yes, in fact, the Department of National Defence and the public works department are collaborating to consolidate the workforce of national defence here in the nation's capital. We are moving forward with a plan to have those consolidated workforces go from 48 different buildings to 7 in the national capital. An independent third-party analysis has looked at this plan and has come back with the numbers. There will be a cost saving, a long-term ongoing savings, estimated at around \$30 million a year. This is good news for taxpayers, and I know the member opposite will want to support it.

**Mr. David Christopherson (Hamilton Centre, NDP):** Mr. Speaker, we will deal with the issue of whether or not we are getting value for dollars afterwards, but right now I would like an answer to the question of why the government felt it was necessary to keep a number that it already had secret from the media, secret from the public and secret from this Parliament.

What is the justification for the secrecy?

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, I thank my friend for his question, albeit in a rant. I will answer the question again. This is a good move for the Department of National Defence. It will see us consolidate our headquarters at the Nortel campus, which was purchased, I again repeat, to save money. This was done looking at the spending levels that were recorded.

Where were they recorded? It was at a Senate hearing some nine months ago.

Where were they recorded? I spoke about this in transcript at the Standing Committee on Government Operations and Estimates, of which the member opposite was a member.

\* \* \*

[Translation]

**JUSTICE**

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, all of the available evidence, including evidence from the Department of Justice, shows that mandatory minimum sentences are excessive, ineffective, disproportionate, costly and do nothing but increase prison populations.

Will the Minister of Justice present to the House the evidence on which he based his decision to support mandatory minimum sentences?

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, this matter has been the subject of extensive debate, not only in the House, but also in committee. All documents indicating the costs involved have been tabled. As we know, victims are the ones who bear the cost of crime. We are talking about a total cost of \$99.6 billion, 83% of which is borne by the victims. We support the victims, while they support the criminals.

[English]

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, the justice for victims of terrorism act would give victims of terror a civil remedy against their terrorist perpetrators, but it would limit the remedy by immunizing the state perpetrator of terrorism, allowing the remedy to be used only against proxies or agents of the state sponsor.

Why is the government denying Canadians an effective remedy against states that support terrorist proxies or that commit the terrorist acts themselves?

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, I know the member has been working on this file for a long time, and we appreciate the support that he has provided in giving us advice.

We have proceeded in the way that we have in the bill because of the advice we received from various organizations. We believe that this is the most effective way to ensure that terrorists are held accountable and that victims have a remedy in situations where they would otherwise not have a remedy.

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#### AVIATION SAFETY

**Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP):** Mr. Speaker, 17 people died on March 12, 2009, when Cougar flight 491 went down after loss of oil pressure. Less than a year before, the same thing happened to an Australian helicopter, but Transport Canada failed to take action.

After the Newfoundland tragedy, the Transportation Safety Board recommended that all Cougars must be able to run dry for 30 minutes, but the Sikorsky still fails the test.

Why are we giving the Cougars a free pass at the risk of the lives of offshore workers?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, this was a very tragic accident. My thoughts are with the victims and their families.

My department continues to work toward addressing the recommendations of the Transportation Safety Board. We will also continue working with our international partners to develop a coordinated approach that would help prevent these accidents from occurring in the future.

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, families of the victims who died in a Cougar helicopter crash off Newfoundland want to know why the faulty Cougar gearbox was certified.

The minister will not answer. The sole survivor of the crash wants to make sure all helicopters in the air now can run dry for 30 minutes. The Transportation Safety Board agrees with that recommendation.

Why does the minister continue to allow these faulty, unsafe helicopters in the air? Why is the minister ignoring the safety of Canadians?

• (1455)

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, the safety of the public is very important to us.

We do not use these events to play politics. This is a very tragic accident. Our condolences go out to the victims and their families.

I can confirm that Transport Canada has received notification that the litigation against it relating to this accident has been discontinued.

#### Oral Questions

#### FIREARMS REGISTRY

**Mr. John Williamson (New Brunswick Southwest, CPC):** Mr. Speaker, Canadians gave our government a strong mandate to end the wasteful and ineffective long gun registry once and for all. That is exactly what we are going to do.

However, today the members from Western Arctic and Skeena—Bulkley Valley caved to pressure from their big city elite union bosses and showed up at the public safety committee to attempt to gut our legislation.

Could the Minister of Public Safety please comment on the action of these two members of Parliament?

**The Speaker:** I am afraid that question has nothing to do with the administration of government. We will go on to the hon. member for Vancouver Quadra.

\* \* \*

#### GOVERNMENT COMMUNICATIONS

**Ms. Joyce Murray (Vancouver Quadra, Lib.):** Mr. Speaker, the government said it did not order public servants to replace the term “Government of Canada” with the Prime Minister's own name.

However, records show that is just not true. As one Industry Canada official noted in an email, he was forced to use the PM's name “as per our directive from PCO”.

This Soviet-style politicization of Canada's bureaucracy is unethical, and it breaks the government's own rules. Why force neutral public servants to do the Prime Minister's partisan bidding? Why cover it up?

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, I have been called a lot of things, but never “Soviet-style”. This is a first for me.

I want to assure the hon. member that in fact there is no need for a directive that she seems to believe in, because it has been a long-standing practice across various governments. In fact, when the Liberals were in government, they used the term “Chrétien government”, “Martin government” and similar variations in official government communications.

The proof is in the pudding. This terminology is widely used by journalists and by the opposition parties. If the circumstances permit, those are the circumstances in which we would use that term.

\* \* \*

#### PENSIONS

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Mr. Speaker, the government says it is still committed to improving the Canada pension plan and the Quebec pension plan because that is the favourite option of Canadians.

Unlike the government's pooled pension scheme, the CPP and QPP are inflation-proof, provide a guaranteed defined benefit, and cost less.



### *Points of Order*

Canadians are not that concerned with voting records; what they want to know is whether the Minister of Finance will guarantee to the House that the CPP expansion is on the agenda for the upcoming December meeting of the federal, provincial and territorial finance ministers.

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, in talks on the Canada pension plan with our partners, the provinces, we continue to discuss any enhancements that may be appropriate at this time, but I would remind the hon. member that there was consensus, unanimous support, among the federal, provincial and territorial finance ministers to pursue the framework for a pooled registered pension plan.

That is why we tabled it in this House. We continue discussions. We continue to develop the regulations around it to make an effective retirement plan for the 60% of Canadians in the workforce who do not have a pension plan right now.

\* \* \*

### INTERNATIONAL TRADE

**Mr. Dean Allison (Niagara West—Glanbrook, CPC):** Mr. Speaker, small- and medium-sized businesses employ nearly half of all working Canadians.

Our Conservative government recognizes that when we create new opportunities abroad, we create jobs and prosperity for Canadian small businesses and their workers and families. That is why our government is moving forward on our job-creating pro-trade plan.

Can the Minister of International Trade and Minister for the Asia-Pacific Gateway tell the House about the recent report received from the Small and Medium-Sized Enterprises Advisory Board?

• (1500)

**Hon. Ed Fast (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC):** Mr. Speaker, I thank the member for Niagara West—Glanbrook for his hard work on behalf of businesses in his riding.

This morning I met with small and medium-sized business leaders and they strongly support our pro-trade plan.

Here is what the president of the Canadian Federation of Independent Business, Catherine Swift, had to say:

It is encouraging to see the government taking small-business issues into account when negotiating trade agreements.... The government's pro-trade plan will benefit not only Canadian SMEs looking to expand into new markets like Europe but also the Canadian economy as a whole

This Conservative government is working hard—

**The Speaker:** The hon. member for Vaudreuil-Soulanges.

\* \* \*

[Translation]

### CANADA POST

**Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP):** Mr. Speaker, the Conservatives are currently jeopardizing the delicate economic situation in the regions. Cuts to several post offices in Quebec are completely destroying postal services in rural areas.

Postal services are essential to our communities and contribute to their economic development.

Will this government finally act responsibly and come up with ways to develop the services, instead of making them disappear?

[English]

**Hon. Steven Fletcher (Minister of State (Transport), CPC):** Mr. Speaker, the volume of mail fluctuates from province to province and year to year. Canada Post makes decisions on the number of hours worked based on those fluctuations. People who have a permanent job with Canada Post will keep their job with Canada Post. There are no job reductions, as the member has stated.

We are committed to ensuring that all Canadians get the postal service they deserve.

\* \* \*

### THE ENVIRONMENT

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I wonder if the hon. Prime Minister recalls being present when the former prime minister, Brian Mulroney, cited, as the scientific consensus on climate change, that:

...humanity is conducting an unintended, uncontrolled, globally pervasive experiment whose ultimate consequences could be second only to a global nuclear war.

The Minister of the Environment said that Kyoto is in the past.

I would ask the Prime Minister not to leave Canadian leadership in the past and show one fraction of the commitment of the former prime minister, Brian Mulroney, to address this crisis.

**Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC):** Mr. Speaker, one thing is for sure. We do need to have leadership in the economy, and that is what this government stands for. We balance the economy with environmental protection. That balance is achievable and we have a plan to achieve that.

That is why Canada has a very strong action plan that is focused on reducing our emissions by 17% of 2005 levels by 2020. That is real leadership.

\* \* \*

### POINTS OF ORDER

#### DECORUM IN THE HOUSE

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, yesterday we all participated in a vote to which there was a very substantial demonstration on the side of the government, as well as a very substantial demonstration in the gallery—

**Some hon. members:** Oh, oh!

**Hon. Bob Rae:** Mr. Speaker, I can see the demonstration has not entirely stopped.

Somebody just said, "You got that right". I think I do have it right and that is why I am asking the question. I would ask, Mr. Speaker, if you would take note of the extent of the demonstration.

I also think it is fair to say that the member for Churchill was excoriated by the members opposite because of the fact that there was one sole demonstrator on the other side of the House with which she had nothing to do. However, the demonstrators—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please. The hon. member for Toronto Centre has the floor and we will have a little order.

**Hon. Bob Rae:** Mr. Speaker, the people who were demonstrating throughout the vote, members of Parliament were encouraging them with respect to their own response to the vote that was taking place.

All we are asking for is that fair is fair with respect to the conduct of votes that take place and what demonstrations are permitted by the Speaker and what demonstrations are not permitted by the Speaker. If there is going to be decorum on one side of the House, there needs to be decorum on every side of the House and that has to be the rule every day.

• (1505)

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I listened to the leader of the Liberal Party and I think we must have been in a different chamber yesterday. I did witness a number of people in the gallery. They were peaceful, law-abiding people, which is all one would expect from people seeking their basic freedom and rights.

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, I wish the Prime Minister would respect the rule of the House. If we go by the rule of the House, the invited guests who are in the gallery are not supposed to stand and clap their hands. He is approving what they did. That is the rule of the House and the Prime Minister should respect that.

**The Speaker:** In light of the events over the last few days, the Chair will come back to the House with an analysis of what happened both last week and this week.

## GOVERNMENT ORDERS

[English]

### WAYS AND MEANS

#### MOTION NO. 6

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC)** moved that a ways and means motion to introduce an act to amend the Financial Consumer Agency of Canada Act be concurred in.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

**Some hon. members:** On division.

(Motion agreed to)

## Speaker's Ruling

### PRIVILEGE

#### STANDING COMMITTEE ON PUBLIC ACCOUNTS—SPEAKER'S RULING

**The Speaker:** I am now prepared to rule on the question of privilege raised on November 23 by the hon. President of the Treasury Board concerning modifications made to the transcript of the November 2 meeting of the Standing Committee on Public Accounts and the impacts these changes have had on his ability to perform his duties.

[Translation]

I would like to thank the minister for having raised this issue, as well as the hon. House Leader of the Official Opposition for his intervention.

The minister explained that allegations that he and his staff had caused changes to be made to the published committee evidence of his testimony to the committee were false, as his office had made no such requests for the committee transcript to be altered. He claimed that these allegations were a breach of his privileges, and impeded his work as a member and a minister.

[English]

For the benefit of members, I will begin by making a few comments about the production of the *Debates* and committee evidence. First, it is important to note that *Debates* and committee evidence are not, in fact, verbatim transcriptions of what is said, but rather a report of the proceedings that House of Commons editors have edited for clarity, grammar and syntax. There is, however, a distinction between the processes followed for the production of the *Debates* as opposed to committee evidence. In the case of the *Debates*, there is a formal process in place for individual members to consider corrections and minor alterations to their interventions as transcribed in the unedited version of the *Debates*, commonly referred to as the “blues”. There is, however, no exactly comparable process in place for individual members to review the transcripts of committee evidence. This does not mean that members do not have an opportunity to propose changes to the unedited transcript.

[Translation]

*House of Commons Procedure and Practice*, Second Edition, at page 1219, clearly sets out how corrections and alterations are made to committee transcripts:

Unedited transcripts of committee proceedings, known (as with the *Debates*) as “blues”, are made available to users of Intraparl, Parliament's internal Web site, usually within 24 hours after a committee meets. Traditionally, minor corrections can be effected by submitting the proposed change to the editors; corrections of a more significant nature are made by the committee itself as a *corrigendum*. Should this happen, the electronic version is expeditiously updated.

[English]

When this question of privilege was raised, the Chair asked for a report on the editing process followed on the particular transcript now at issue. I can assure the House categorically that no members or members' staff submitted proposed changes to the transcript. The changes made were the result of normal editing protocols being followed. I would like to explain.



*Government Orders*

Due to stringent timelines and voluminous amounts of text, the technical task of editing is frequently parcelled out to multiple editors whose collective work for a given meeting is then reviewed by a senior editor. These senior editors look at the full context of the preliminary verbatim transcript, including the intonation of the person speaking, in order to accurately convey the intended meaning in the final transcript. Thus, they routinely authorize the removal of redundant words, false starts, hesitations, words that might lead to confusion as to the true intent of the statement, and so on. Sometimes entire sentences are restructured for clarity. Even within the testimony of a single witness or member speaking, it is not unusual for words to be removed in one place and retained in another if the editors judge that, in the latter case, the words do not lead to confusion or convey an unintended meaning.

• (1510)

[Translation]

Needless to say, the editing of the transcripts of proceedings, whether in the House or in committee, is a difficult and demanding task that our editors and senior editors take very seriously. Ultimately, however, authority for the final version, as I have just indicated, rests with the committee, and it is of course free to issue a *corrigendum* if it so wishes.

[English]

The question remains whether the rendering of the transcript in the manner shown has, in and of itself, impeded the President of the Treasury Board in the performance of his duties to the point of warranting a finding of *prima facie* privilege. The Chair must remind the House that the Speaker generally does not rule on matters relating to proceedings in committees. As this matter deals with the committee evidence of a meeting of the Standing Committee on Public Accounts, and in the absence of a report from the committee on the matter, it would be premature for the Chair to make a determination on the matter at this time. The Chair will leave it to the committee to determine how to address any issues arising out of the manner in which the testimony of the minister has been transcribed.

There can be no doubt that the minister feels aggrieved by the interpretation being given to these events. However, as presented to the Chair, and again, in the absence of a report from the committee on the matter, I cannot find that this is sufficient grounds to establish that the minister has been impeded in the performance of his parliamentary duties. Therefore, I cannot find that a *prima facie* question of privilege exists.

[Translation]

I thank hon. members for their attention.

[English]

**Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, I thank you for your careful review of this matter and I am pleased that you have been able to clear up this controversy. I also thank you for the helpful information you have provided.

I would say that it is very unlikely the NDP did not know that the House of Commons transcription services routinely make incon-

sequential amendments to the official report. Many of those members have been around for many years—

**The Speaker:** Does the hon. President of the Treasury Board have a point of order to make?

**Hon. Tony Clement:** Yes, Mr. Speaker, I will make that point of order now.

With your ruling today, I would sincerely hope that the member for Timmins—James Bay will reflect on his actions. He made these accusations against me both inside and outside this place and I request that the member for Timmins—James Bay apologize for his baseless smear on my reputation as soon as possible.

**The Speaker:** I did not hear a point of order in that.

## GOVERNMENT ORDERS

[English]

### SAFE STREETS AND COMMUNITIES ACT

The House resumed consideration of Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, as reported (with amendments) from the committee, and of the motions in Group No. 1.

**The Speaker:** The hon. member for Fort McMurray—Athabasca has three minutes left to conclude his remarks.

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Mr. Speaker, I appreciate the opportunity to conclude my remarks because this is a very important bill for Canadians, who have expressed their desire to have us pass this into law as soon as possible.

I want to address something that I heard recently with relation to complaints from some quarters, in fact the opposition primarily, that there has not been sufficient time to study Bill C-10 in its entirety. If we look at the history and examination of the charges as they relate to the Youth Criminal Justice Act, we will see how very wrong that is. As I briefly outlined a minute ago, the proposed reforms to the Youth Criminal Justice Act that are contained in part 4 of Bill C-10, being made after consultations with a broad range of stakeholders and members of the public, are in response to key court decisions, such as the Nunn commission of inquiry, an extensive parliamentary study, and indeed, input from provincial and territorial partners.

First, most of us will know that the former Bill C-4 was extensively studied by the House of Commons Standing Committee on Justice and Human Rights prior to the dissolution of the previous Parliament. The committee actually held 16 meetings on that bill and heard from over 60 witnesses. I do not know how anyone in this place or elsewhere can say it was not properly consulted.

*Government Orders*

Second, prior to introducing former Bill C-4 in March 2010, the Minister of Justice undertook a comprehensive review of the Youth Criminal Justice Act. In February 2008, the Minister of Justice launched that review with a meeting he held with provincial and territorial attorneys general who, I would suggest, know much more than the opposition does in relation to the Youth Criminal Justice Act. They discussed the scope of the review to encourage provincial and territorial ministers to identify the issues that they had, that they had heard from their Crown prosecutors and others relating to the youth justice system, and that they considered the most important. That is very important.

Finally, in May 2008, the Minister of Justice, as I said previously, undertook a series of cross-country round tables usually co-chaired by provincial and territorial ministers in order to hear from youth justice professionals, front line youth justice stakeholders and others around this country about areas of concern and possible improvements regarding the provisions and principles of the Youth Criminal Justice Act.

To say it was not properly consulted and that we did not spend enough time is simply ludicrous. We have heard from Canadians and they have clearly outlined what they wanted us to do. We have consulted with stakeholders, including the provinces, members of the government and the public and, most importantly, victims. We are listening to victims.

The Nunn commission itself convened on June 29, 2005 and heard from 47 witnesses, with over 31 days of testimony. We are listening to Canadians, reflecting the society that they want, and moving forward on keeping all Canadians safe.

●(1515)

[Translation]

**Ms. Lysane Blanchette-Lamothé (Pierrefonds—Dollard, NDP):** Mr. Speaker, the member said that victims groups support Bill C-10. But I have a letter from the West Island CALACS that says that “the Regroupement québécois des CALACS supports the preventive approach, rather than repressive measures that have not yet been proven to be effective.”

Could the member tell me whether it is because he has not listened enough to Canadians and groups, or is it because he does not listen to people who do not share his opinion?

[English]

**Mr. Brian Jean:** Mr. Speaker, I appreciate the member's concern with this and I agree that prevention is very important. That is why we are going to ensure that people who commit serious crimes actually do time, that they are kept in jail where they cannot be sexual predators of minors, where they will not be able to do the things they were doing because the parole system in this country was not working properly.

We are going to ensure that Canadians and victims are listened to, and indeed, that the people who commit crimes, especially violent sexual offences, actually do the time and stay in jail where they will have an opportunity to be rehabilitated but will not have a chance to reoffend.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I have this question for the member. Will he not recognize and

acknowledge that it is only the Conservative government here in Canada that seems to take this approach that the best way to prevent crime from happening is to build mega jails? It is something which has not worked in the United States.

In fact, what we see now in the United States is an attempt to get more people back into the communities. The best way to prevent crimes from happening is to put in place programs that will ensure that there are alternatives for youth to participate outside of gangs and things of that nature.

I wonder why the government does not recognize the value of crime prevention. Preventing crimes from taking place in the first place, I would ultimately argue, is indeed Canadians' greatest priority, more so than keeping people in jails for extended periods of time where it is not justified.

We understand and appreciate that at times there is a need to keep people in jail. However, quite often we would be better served by having more programs that would facilitate individuals becoming full participants in society in a positive way.

●(1520)

**Mr. Brian Jean:** Mr. Speaker, I know that some people have actually expressed that, as the member says, it is not justified. However, that is a small minority of people. It is criminals and the Liberal Party of Canada.

I do not agree with that. I think, frankly, people who commit serious crimes should do serious time because they have taken away something from people. They have violated society as a whole and public policy.

There is no question in my mind that a small minority of criminals get caught, but when they are caught, most of the punishments are, frankly, quite laughable. I have had an opportunity to see it firsthand.

We are not going to take the laughable position of the Liberal Party of Canada, or the laughable position of criminals for that matter.

**Hon. Wayne Easter:** On a point of order, Mr. Speaker, I take great offence to the fact that the member opposite lumped us in with criminals and not worrying about the subject. We worry about it.

I am a former solicitor general. However, we look at facts when we are trying to rehabilitate people. Just throwing people in jail does not make them better. Just penalizing them does not make them better. They need programs to be rehabilitated.

The member should not lump Liberals in with criminals in his statement. It is wrong and he should apologize.

**Mr. Brian Jean:** Mr. Speaker, I too take offence that the member would take the position of criminals instead of law-abiding citizens and the Conservative Party of Canada that wants to protect Canadians and society as a whole.

**The Speaker:** I will take a look at what was said. I did not hear what the exact wording was, but there have been rulings before about members implicating other members being supportive of criminals or criminal actions. I will take a look and come back to the House.



*Government Orders*

There is enough time for a very brief question and comment.

The hon. member for Saanich—Gulf Islands.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, the hon. member for Fort McMurray—Athabasca has made reference, as many Conservative members have, to the report of Justice Merlin Nunn of Nova Scotia. Is he not aware that Merlin Nunn spoke to the press in Nova Scotia and said he was troubled by the fact that this bill moves away from the principle that jails should be the place of last resort for young offenders? He was also troubled by provisions that would allow teenagers as young as 14 being tried as adults.

**Mr. Brian Jean:** Mr. Speaker, I appreciate my friend's intervention. The Nunn commission actually called on 47 witnesses over 31 days of testimony. I agree with the member, we do want to prevent crimes, and that is exactly what we are going to do with this legislation. We are going to ensure we send a clear message to people who would commit crimes to let them know that if they are going to commit crimes, they are going to do serious time.

**Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP):** Mr. Speaker, I stand in the House today in opposition to Bill C-10, the omnibus crime bill.

As I stated in a September speech in this House, I do not stand in opposition to every part of the bill. Indeed, some parts of Bill C-10 are worthwhile.

As a father, I have no objection to protecting children against pedophiles and sexual predators, of course not, even though the Conservative government would have people believe otherwise. That is the rub with Bill C-10 which throws so many pieces of legislation, nine bills, aboard the one bus, aboard the one omnibus bill.

I may agree with coming down hard on pedophiles, but I do not agree with filling prisons with people who probably should not be there, like the student who gets caught with six marijuana plants. What will throwing that student in jail do for him or her, or for society in general besides costing us a fortune in new human cages? My answer is nothing. It will do absolutely nothing.

Steve Sullivan, an advocate for victims of crime for almost two decades, wrote a piece earlier this month for the *National Post*. A particular quote stuck with me. He wrote:

Few of us lose sleep over child-sex offenders spending more time in prison. But some of the reforms will toughen the sentences for low-risk offenders, with low rates of recidivism. They won't make children safer, but will cost five times more than what is being invested in Child Advocacy Centres that support abused children.

Bill C-10 is also known as the safe streets and communities act, but mandatory minimum sentences are not so much tough on crime as tough on Canadians suffering from mental illness, addictions and poverty. In fact, poverty will be punished even more than it is now. The bill targets youth for harsher punishments and will put more aboriginal people in prison.

One of the pillars of the omnibus crime bill is mandatory minimum sentences. The Conservative omnibus bill will dramatically expand mandatory minimum sentences, limiting judicial discretion to levels unseen before.

Experts say taking away discretion from judges clogs up the judicial system. That is not all that it will clog up. The provinces are particularly rebelling against this new crime bill. They charge it will clog up the prison system. The provinces say it will put increasing pressure on a prison system that is practically busting at the seams.

Experts say the omnibus crime bill will increase the country's prison population by untold thousands. As for the cost of housing that many more inmates, estimates range up to \$5 billion a year. That is more than double the current expenditures for the corrections system alone. And that is a conservative estimate, not a Conservative government estimate. The Conservative government has not put a price on the omnibus crime bill, which makes no sense.

Yesterday, I stood in this House and debated the bill to kill the Canadian Wheat Board, which ended up passing even though the Conservative government failed to carry out a cost benefit analysis. How is that good governance, good fiscal governance, in these scary unpredictable times? I do not get it. Canadians do not get it.

Ontario Premier Dalton McGuinty has warned the Conservative government that provinces across the country will not pick up the tab for any new costs associated with the omnibus crime bill. Quebec has essentially said the same thing.

In my home province of Newfoundland and Labrador, the main prison is Her Majesty's Penitentiary in my riding of St. John's South—Mount Pearl. Her Majesty's Penitentiary dates back to Victorian times. The original stone building first opened in 1859. The pen is an aging fortress that has been called an appalling throwback to 19th century justice, which sounds like Bill C-10.

• (1525)

Felix Collins, the Progressive Conservative justice minister for Newfoundland and Labrador, has had this to say about the omnibus crime bill:

Most groups, most experts and most witnesses who have given presentations on this bill would advocate that the federal government is proceeding in the wrong direction, and that this procedure has been tried in other areas before and has proven to be a failure...Incarcerating more people is not the answer.

That quote pretty well sums it up. When Felix Collins, Newfoundland and Labrador's justice minister, speaks about the procedure being tried in other jurisdictions and failing in other jurisdictions, he is probably talking about Texas. Conservative Texas has warned us not to follow a failed fill-in-the-prison approach to justice.

The Canadian Bar Association, representing 37,000 Canadian legal professionals, has said the bill would, "move Canada along a road that has failed in other countries, at a great expense".

The *Vancouver Sun* ran a story yesterday with the headline, "Conservative crime bill is a costly mistake for Canada". The story reads:

When Canada has some of the safest streets and communities in the world and a declining crime rate, why is [the] Prime Minister...pushing his omnibus crime bill through in such a machiavellian way? Many jurisdictions, including Texas and California, have warned this crime agenda not only doesn't work, but it doesn't make economic sense. Costing roughly \$100,000 per year to incarcerate a person, mandatory sentences will raise taxes, increase debt, or force us to cut spending on essential programs like health and education. Bill C-10 arrogantly ignores proven facts from decades of research and experience.

Again, that about sums it up.

This is a quote I received from a constituent:

Who is helped by having a student, a future doctor or engineer, thrown in jail for a year and a half because they decided to make some hash for their own personal use? In what universe does that make sense? Stop wasting money on cages and start spending it on hospital beds and textbooks.

The line that sticks is, "Stop wasting money on cages and start spending it on hospital beds and textbooks".

If the omnibus crime bill goes through, provinces like Newfoundland and Labrador will have less money to spend on health and education, let alone rehabilitation and preventative programs.

I will quote from an editorial in the St. John's edition of *The Telegram*, the daily newspaper where I come from. It states:

The provinces have been raising two kinds of concerns: one is that tough-on-crime laws don't actually achieve their stated ends, because rehabilitation actually decreases crime rates in a way that longer incarceration does not. The second concern is far more pragmatic: while the federal government is making laws that extend prison terms, it doesn't seem to be in any rush to help with the additional anticipated provincial costs connected to longer jail sentences and increased court time (increased court time, because it will be less attractive for criminals to plead guilty at early stages in a prosecution).

Who will say they are guilty if they know that "mandatory minimum" means they will definitely be going to prison?

Bill C-10 will not make Canada a better place to live. It will change Canada. It will change how we see ourselves as Newfoundlanders and Labradorians and Canadians and how we are seen on the world stage.

• (1530)

**Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC):** Mr. Speaker, I listened to the member and I am not certain whether he is ill-informed or needs to do some more research.

Earlier we heard the member for Oxford talk about his committee travelling to different institutions across the country and how there was a robust offering of different programs for those inmates who were willing to reform and to be contributing citizens.

I mentioned earlier a number of programs that are outside of the bill through HRSDC's skill links program through the National Crime Prevention Centre. These programs keep youth away from crime. They help them stay away from gangs, et cetera. Yet all of this seems to be outside the purview of the opposition when it addresses these issues in the bill.

The real thing I want to question the member on is this. He talked about minimum sentences. Is he aware that a prisoner only has to serve one-third of his or her sentence before being eligible for parole and after two-thirds, the individual has to be released unless the National Parole Board says he or she has to be confined? Is he aware that the five year minimum could be quite possibly only twenty months when applying for parole?

### *Government Orders*

**Mr. Ryan Cleary:** Mr. Speaker, the member's question was in two parts. I will not have time to answer both parts so I will answer the first part.

The member mentioned the committee that travelled to Oxford. My recommendation is that a Conservative committee should travel to Newfoundland and Labrador. I quoted from the Newfoundland and Labrador justice minister and I repeated it a second time. I am not sure if the hon. member actually listened, so I will read it a third time and maybe a bit slower. He said:

Most groups, most experts and most witnesses who have given presentations on this bill would advocate that the federal government is proceeding in the wrong direction, and that this procedure has been tried in other areas before and has proven to be a failure...Incarcerating more people is not the answer.

• (1535)

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, would the member for St. John's South—Mount Pearl like to comment on the fact that one of the aspects of the bill is to remove the possibility of a pardon from everybody? It does that by getting rid of the word "pardon" and calls it a "record suspension". It seems to me that would remove the possibility of redemption or the interest that someone might have in clearing his or her name with a pardon and take away from the rehabilitative effects.

Does my colleague have any comments on that?

**Mr. Ryan Cleary:** I do not agree with that, Mr. Speaker. Removing pardon is the wrong way to go.

I believe in judicial discretion. This omnibus crime bill would take away judicial discretion. That is the wrong way to go. What this omnibus crime bill is missing is common sense. There is no common sense.

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, my question for the member relates to his comments with respect to the impact on provincial treasuries.

What will invariably happen is more people will be in provincial institutions and that will result in charter challenges based on the overcrowding of jails or a dramatic strain on provincial budgets. The charter challenge will result in guilty parties going free. Therefore, what we are faced with in terms of the downloading is the exact opposite of what the Conservatives' intend, or tough choices within provincial governments.

Could the member comment on that?

**Mr. Ryan Cleary:** Mr. Speaker, the justice minister of my home province of Newfoundland and Labrador has said that if the omnibus crime bill passes, our prison capability within Her Majesty's penitentiary in St. John's South—Mount Pearl cannot handle the increase in prisoners. The system cannot handle an influx of more prisoners.



*Government Orders*

On the one hand, we have been after the Conservative government for years for a new prison for Newfoundland and Labrador. The answer has been no. On the other hand, the government is pushing through an omnibus crime bill that is going to increase the number of prisoners in Newfoundland and Labrador's prison system. That makes no sense.

Is my province going to find it hard to pay for this? Of course. My province does not know where the money is going to come from. That is the question the Conservative government has yet to answer.

**Mr. Brent Rathgeber (Edmonton—St. Albert, CPC):** Mr. Speaker, it is indeed an honour for me to rise to speak to Bill C-10 at report stage, a bill that I have become quite familiar with as a member of the justice committee. As the House knows, the justice committee vetted the bill for many hours in the last few weeks.

I am pleased to speak specifically with respect to the supporting the victims of terrorism aspects of Bill C-10.

However, before I talk about a couple of amendments at the committee stage, I would like to review the essential thrust of the bill as it relates to victims of terrorism.

Reducing domestic crime is important and is part of the strong mandate that Canadians gave to our government. However, in our desire to keep our streets and communities safe from criminals, we must not overlook the need to protect Canadians from the dangers of terrorism. Those dangers are very real.

A few months ago, Canadians observed the tenth anniversary of September 11, 2001, when 24 Canadians lost their lives on that terrible day that will live on in infamy. Suddenly, terrorism had struck close to home. It was no longer a distant threat that could be ignored. Yet the reality is that terrorism has never been far away. Let us not forget that the plot that took the lives of 329 passengers on Air India Flight 182 was planned and executed in Canada. Therefore, we are not immune from terrorists, nor have we ever been.

We must always stay vigilant of the threats lapping at our shores. That is why our government carefully studied the commission of inquiry's final report into the Air India bombing. In response to that report, the government released the Air India inquiry action plan last December. This plan will help us address the outstanding security issues highlighted by the commission.

Certainly, the commission of inquiry illustrated that time did not diminish the demand for justice. The victims of terror and their families need to see that justice is served. They need to know that terrorists cannot pursue their radical goals with impunity.

The notion of accountability lies at the very heart of Bill C-10. To put the proposed amendments in context, let me highlight the provisions that relate specifically to the fight against terrorism.

First, the proposed legislation will give victims of terror a greater voice. By their very nature, acts of terrorism often have victims feeling powerless. All too often, they are effectively silenced. Our government is determined to give victims back their voice.

Bill C-10 would empower victims to take the perpetrators of terrorism and their supporters to court. In practical terms, this would mean victims could file a civil suit against those who committed

terrorism. This would include individuals, terrorist entities listed under the Criminal Code, or listed states that supported a terrorist act.

If the act of terrorism has taken place outside Canada, victims would either need to be a Canadian citizen or a permanent resident or would need to demonstrate a real and substantial connection between the incident and Canada.

In support of this provision, the bill would amend the State Immunity Act to create a list of states that support terrorism. Lifting the immunity of a state is a serious matter. The bill proposes a robust process, whereby the Minister of Foreign Affairs and the Minister of Public Safety will have to satisfy the Governor-in-Council that the state should be listed as a supporter of terrorism. Furthermore, the state's alleged support for terrorism must be in relation to a listed entity pursuant to our Criminal Code. The evidence must be weighed carefully and set against the diplomatic consequences that may come from lifting an immunity.

At the same time, the list should always be a work in progress. Every two years, the two aforementioned ministers would examine the list to carefully determine if new states ought to be listed.

By the same token, if listed states can show that they have ended their support for terrorism, then we should remove them from that list. However, if a state is removed from the list while litigation is ongoing, the state would not benefit from the immunity in such case.

It is not enough to give victims their day in court. Nor is it enough to enable victims to become successful plaintiffs. If the court's judgment is against a foreign state, then the plaintiffs need additional support to ensure that justice is served. For that reason, Bill C-10 would empower the Minister of Finance and the Minister of Foreign Affairs to help identify and locate the property of that foreign state.

To sum up, Bill C-10 would give the victims of terrorists back their voice. It would support legal redress against terrorist entities. It would offer support to successful plaintiffs. At the same time, it would weigh the consequences of these actions carefully to protect Canada's relations in the global community.

• (1540)

I would now like to direct members' attention to the two amendments made at committee which I referenced at the beginning of my remarks. I would suggest to the House that the amendments made at committee will make this bill even stronger. Members will know that our government has already passed these amendments related to the justice for victims of terrorism act.

The first amendment our government passed will help to lighten the burden of victims of terrorism. Defendants would be presumed to be liable if they supported a listed entity that caused or contributed to the loss or damage subject to a cause of action. The defendant could always refute the claim.

The second amendment passed at committee will make it possible for a court to hear a matter based solely on the plaintiff's Canadian citizenship or permanent residency. This would hold true even in cases where there is not a real and substantial connection between the action and Canada.

*Government Orders*

It is the government's hope that this bill will be passed at report stage, that the amendments made at committee can be approved by the House and, in so doing, all parts of Bill C-10, including the justice for victims of terrorism act, the offences with respect to organized crime, sexual predators and drug offences can be passed. My constituents, police officers and all Canadians have asked for this type of legislation to be part of the toolbox in the ongoing fight against crime.

● (1545)

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, the hon. member made reference at the beginning of his comments to such terrorist acts as the Air India disaster. If this law had been in place then, what would have been different for the victims of the Air India disaster?

**Mr. Brent Rathgeber:** Mr. Speaker, the Air India disaster was a black mark not only in Canadian history but also in global history. In many ways, as I indicated in my opening comments, the resulting inquiry into the Air India incident formed the impetus for the part of Bill C-10 with respect to victims of terrorism. As the hon. member will know from his review of the legislation, this bill gives victims of terrorism a cause of action against terrorists that they can prove caused the damage and losses to their family. This type of legislation would have been of great value to victims of terrorism such as those who suffered severe losses in the Air India incident.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I am sure the member would recognize that there would be a substantial cost to the implementation of Bill C-10, if it passes. We do not know what those costs would be. The Liberal Party has attempted to obtain the actual costs from the government, but we are beginning to believe that the government has no idea of the costs. We do know there are provinces that have great concerns in regard to the implementation costs and the ongoing costs of Bill C-10.

What would the member suggest to provinces that are having a difficult time trying to provide programs and services to prevent crimes from taking place? The programs and services are being imposed by Ottawa initiatives. They would cost them a great deal of money to implement. The Conservatives' proposals include such things as building prisons and large jails.

**Mr. Brent Rathgeber:** Mr. Speaker, the member for Winnipeg North will be happy to know that with respect to the provisions of Bill C-10 that deal with amendments to victims of terrorism and state immunity, there would be no costs to the government.

With respect to his broader question, members of the opposition are fond of talking about the costs of implementing our safe streets and safe communities agenda. They fail to realize the cost of crime which is borne by victims. Victims bear the majority, I think it is 80% of the estimated \$100 billion, of the cost of crime to Canadians annually. Those costs are in terms of increased insurance premiums, lost wages, lost property, and of course the immeasurable damages when an individual loses his or her life. The costs of crime are much broader than simply the cost to the justice system. The portions of the cost of crime that are borne by the victims are often lost on the opposition.

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, if my insurance goes up because someone steals the member's car, that is part of the cost of crime in his calculations. That is interesting.

The member talked about the anti-terrorism legislation. The biggest criticism is with regard to the state list. We know, for example, that the Americans took Libya off the state list when they were rebuilding their relationship with Libya.

Is that not a problem with our bill, too, that the state list depends on the politics of the government of the day?

**Mr. Brent Rathgeber:** Mr. Speaker, I enjoy working with the hon. member on the justice committee.

As the hon. member knows, the issue of listing the states is complicated. There has to be a balance between the evidence of terrorism and what it will do to international relations with respect to those countries.

The remedy is that the list will be reviewed every two years by two ministers, the Minister of Public Safety and the Minister of Foreign Affairs. This will ensure that the list is updated periodically, to make sure that it adequately reflects the risk of certain states in their promotion of terrorism.

● (1550)

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, I rise to speak to Bill C-10, which is described as the safe streets and communities bill. I am rising today in my role as the critic for aboriginal affairs and northern development.

A number of members speaking to this bill have raised concerns that this approach does not fully respond to the concerns that have been raised over the decades by the courts, corrections officers, legal experts, corrections experts, and by the aboriginal community itself.

The aboriginal community in Canada is less than 3% to 4% of the total population, yet tenfold more aboriginal Canadians are incarcerated. As National Chief Shawn Atleo has pointed out, aboriginal youth are more likely to be incarcerated than to graduate from high school.

The number of aboriginal women prisoners is growing and is more than the number of other Canadian women prisoners. Of the women in maximum security, 46% are aboriginal. There has been a 20% increase in the incarceration of aboriginal women just in the last five years.

I will give examples at the provincial level. In Saskatchewan provincial jails, 87% are aboriginal. In Manitoba, 83% are aboriginal. In Alberta, 54% are aboriginal. This is absolutely reprehensible. Surely this should have raised a red flag with the government. In coming forward with these proposals to address crime, to reduce crime and consider victims, surely the government should have considered this. However, that is not apparent on the face of the bill or in the debate.

Why is there a higher rate of aboriginals incarcerated? The reasons I mentioned have been reiterated in countless studies, court decisions, determinations by coroners, and so forth. The Auditor General has raised concerns about this and about the discriminatory treatment of aboriginals in more than 30 reports over a decade.



### *Government Orders*

The coroner's report on the sad rate of suicide at Pikangikum raised the broader issues of concern as to why there are suicides and why there is a high rate of crime within the aboriginal communities.

The reasons have been stated decade after decade as discrimination against aboriginals in education, housing, sanitation, poverty, opportunities to engage in the economy. This has resulted in despair, gang membership, domestic disputes and intoxication-related crimes.

The cost of Bill C-10 for Canadian aboriginal communities will be far greater than just the price of expanding jails. The price to the aboriginal community will be an increasing loss of opportunity for aboriginal youth to have community supports, to continue their education, to participate in the economy, and to have the support of their families to become contributing members of society.

A good number of the witnesses on this bill raised the particular concern of the blanket policy of minimum sentences. Many legal experts testified on the government bill in the last Parliament and the current bill. They stated that the threat of minimum sentences will have a negligible deterrent effect for the majority of aboriginal offenders. Why? Because the majority of offences are related to: addictions; violence associated with intoxication; interpersonal violence; a sense of hopelessness; the legacy and impacts of residential schools; and adoptions away from their community. They also have been the unwitting victims of committing the crime or victims of the crime related to street life.

The experts are telling us that minimum sentences will do nothing to address the root causes of aboriginal offences. If the very purpose of the bill, as the government professes, is to deter further crime and to avoid further victimization, then clearly if the majority of people in our prisons are aboriginals, there is a problem. Where is the analysis of whether or not these measures will genuinely deter aboriginal criminals and reduce their crime rate?

• (1555)

The only predictable result of these measures would be the increased percentage of aboriginals in our jails, the increased probability of denied pardons, as they are currently called, and the increased number of aboriginals outside the economy. The government speaks all the time of the need to get our aboriginals engaged in the economy; this would have the opposite effect.

The Supreme Court of Canada has made very strong observations through its decades of experience in hearing cases involving aboriginal offenders. It raised very serious concerns about the overrepresentation of aboriginals in Canadian courts and the inability of the current court system to address the question of aboriginal offenders.

As legal and correctional experts have testified, aboriginal overrepresentation speaks to the failure of the Canadian criminal justice system to address the root causes of aboriginal offending. The point they make is not that no aboriginal should ever be jailed, but rather that due consideration should be made to any evidence of an inequitable effect of any laws or policies on aboriginal Canadians, and that when such an effect is found, those policies should be adjusted.

A year ago, the government finally signed on to the UN Declaration on the Rights of Indigenous Peoples and thereby committed to removing any discriminatory policies and practices and laws that would discriminate against aboriginal Canadians. There is no evidence of that kind of due consideration in the bill that the government has brought forward. There is no evidence that it has given consideration to experts' testimony and submissions made on this aspect of their bill. Study after study, including royal commission reports, judicial inquiries, reports by Correctional Services, coroners' reports, Auditor General reports and recommendations in decisions at all levels of court have urged action on overrepresentation of aboriginals in Canadian prisons.

More aboriginals would be removed from the influence and support of their families and communities. We only need to look at the effect of these measures on the community of Nunavut. Those who are automatically incarcerated under the minimum sentence would be moved a long distance from their community. There has been evidence brought forward that the prisons are already overcrowded, but they would be moved to communities far from their community, thus removing any potential for family or community support or rehabilitation.

In the last Parliament and in this Parliament, we have heard about the cuts over time to community support programs. There have been cuts to the healing centres and to rehabilitation, and closure of the prison farms.

Nowhere is this mistaken path more evident than in the case of the Samson band in Alberta. The Samson band had come to the federal government begging for support to build a centre for its youth so that the youth would be diverted away from increasing engagement in gang violence. There have been sad cases over the last several years of children and community members being killed. The band undertook the effort to do a major review with the RCMP, community leaders and leaders outside the community. The top recommendation was to build a centre and put the programs in place to get the kids off the street and divert them from crime. Instead, very close to them is a prison; that is simply where the youth will continue to be diverted, and crime will continue in their community.

We even had the United Church of Canada calling for greater attention to the discriminatory effect of this law on aboriginal Canadians.

Therefore I call upon the government to rethink and to give consideration. The federal government has unilateral responsibility for first nations Canadians, and I believe it is incumbent upon the government to give closer consideration the discriminatory effect its measures will have on aboriginal Canadians.

**Mr. Bruce Hyer (Thunder Bay—Superior North, NDP):** Mr. Speaker, I have been reviewing some of the costs that we are coming to now. A single new low-security cell will cost a quarter of a million dollars, a single new medium-security cell almost half a million dollars and a high-security cell \$600,000. The total annual cost per woman inmate is \$343,000, and for a male it almost \$225,000. This is at a time when we could be investing in children.

As you may know, Mr. Speaker, and as I know the hon. member from Edmonton knows, we are spending less than half on each aboriginal student in Canada. Certainly that is true in Ontario.

Does this make any sense when, for a small investment in education and a small investment in feeding programs in the schools, we could be preventing future costs of such magnitude?

● (1600)

**Ms. Linda Duncan:** Mr. Speaker, I would like to thank the hon. member for his astute question.

We heard only today in the House, during question period, the reply by the Minister of Aboriginal Affairs and Northern Development when concerns were raised about the slow pace of response to the crisis in Attawapiskat. His response was that he is concerned that despite the spending a lot of money in this community, the problems have not been solved.

The amount of money that the minister raised pales in comparison to the money being spent on the imprisonment of our aboriginal population. It pales in comparison to the moneys we are spending on the education of our aboriginal youth.

As the national leader of the Assembly of First Nations has pointed out, if we do not turn the corner, we are still going to be incarcerating more youth and we are going to be graduating them from high school.

I will share the quote from the Supreme Court of Canada in the Gladue case:

These findings cry out for recognition of the magnitude and gravity of the problem, and for responses to alleviate it. The figures are stark and reflect what may fairly be termed a crisis in the Canadian criminal justice system. The drastic overrepresentation of aboriginal peoples within both the Canadian prison population and the criminal justice system reveals a sad and pressing social problem.

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, I thank the hon. member for her presentation and for focusing on the impact on our aboriginal communities.

It strikes me that when the only implement in the tool box is a sledgehammer, everything starts to look like a rock.

I would seek the hon. member's comments on a more sophisticated approach to reforming our criminal justice system, as opposed to the one before us in the bill, and in particular with respect to the misplaced emphasis on retribution versus crime prevention and a focus on the root causes of crime.

**Ms. Linda Duncan:** Mr. Speaker, the member's question basically sums up the concerns that have been raised on this side of the House.

Canada has been renowned for having a justice system that tries to balance the scales. What is more important is that if the government is, as it professes to be, concerned about the victims of crime, then surely our focus should be on the prevention of crime and the prevention of victimization of youth.

One part of the bill that members on this side of the House fought very hard to have separated out of it and expedited in the last Parliament is the sexual exploitation of children. I notice that Senator Patrick Brazeau has authored a piece talking about the fact that nowhere is the devastation of sexual exploitation more pervasive than among aboriginal children and that they represent as much as

90% of those being exploited. Senator Brazeau is calling for programs to deal with this and to prevent the sexual exploitation.

Surely that makes sense. Surely we need to pool our resources and move towards addressing this critical discrimination of the victims being aboriginal children.

**The Acting Speaker (Mr. Bruce Stanton):** It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Beauharnois—Salaberry, Health; the hon. member for Halifax, The Environment; and the hon. member for Cardigan, Fisheries and Oceans.

\* \* \*

[Translation]

## MESSAGE FROM THE SENATE

**The Acting Speaker (Mr. Bruce Stanton):** Before we resume debate, I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill C-16, An Act to amend the National Defence Act (military judges).

\* \* \*

● (1605)

[English]

## SAFE STREETS AND COMMUNITIES ACT

The House resumed consideration of Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, as reported (with amendments) from the committee, and of the motions in Group No. 1.

**Mr. David Wilks (Kootenay—Columbia, CPC):** Mr. Speaker, it is my privilege to speak in favour of Bill C-10, the safe streets and communities act, during this report stage. I am particularly pleased to support the amendments that would strengthen this important bill.

Before speaking to the proposed amendments, I would like to put them into a larger context.

After 20 years of police work and working within the justice system, I often hear great frustration with our justice system. Even when violent criminals are put behind bars, they never seem to complete their sentences, and before we know it, they are back on the street committing crimes. Meanwhile, the rights of the victims are overlooked and forgotten.

There is something wrong with that picture. Canadians know it, and so does our government.



*Government Orders*

When we first took office, we identified greater safety and security for Canadians as a priority. For the past six years, we have moved decisively on our law and order agenda. We have invested substantial resources to help law enforcement agencies do their jobs better. We have passed laws to ensure that offenders do serious time for serious crime. We have supported crime prevention to help keep youth away from gangs, drugs and violence. We have pursued these efforts with one overarching goal: to make our streets and communities safer.

I am proud to say that Bill C-10 is a natural extension of these efforts. The proposed legislation before the House would go a long way toward protecting the most vulnerable of our society, as well as victims of terrorism. It would hold offenders and supporters of terrorism more accountable for their actions.

Let me highlight exactly how it would do that.

First, the bill would continue the work begun with the serious time for serious crime act. To that end, it would establish or increase mandatory minimums and increase maximum sentences for various serious offences, particularly those related to children and youth. Offenders convicted of child exploitation would no longer be eligible for a conditional sentence or house arrest, and drug dealers involved with organized crime who target youth could also expect harsher sentences.

As well, we not willing to wait until a crime is committed before taking action. Police would be given the tools to be proactive rather than reactive. The bill would require judges to consider putting limits on suspected or convicted child sex offenders. It would empower police to arrest, without a warrant, offenders who are in breach of the conditions of release. In other words, the bill would put the rights of victims ahead of the rights of offenders, which is where they should be.

In the same vein, Bill C-10 introduces new measures both to increase the accountability of offenders and to strengthen the voices of victims.

Under the new legislation, offenders would be required to have a correctional plan that laid out clear expectations of behaviour. This would include, for example, a requirement to meet court-ordered obligations to repay victims or to pay child support.

The legislation also introduces new penalties for inmates who display disrespectful or intimidating behaviour, whether it is directed at staff or at other inmates.

The bill would also make an important change in exchanging the word "pardon" for the phrase "record suspension". We want to send a clear message that closing off a criminal record from the public eye does not forgive the offence. The offences committed by these individuals can often scar victims for a lifetime, and we believe it is important to recognize that fact.

What is more, we would make it impossible for certain offenders to apply for a record suspension. In the government's view, anyone convicted of a sexual offence related to a minor does not deserve a record suspension.

In the interests of public safety, child molesters, even after release, should carry the history of their offence with them for all time, not as

an extra punishment but to protect the safety of the most vulnerable in society, our children.

● (1610)

By the same token, the bill would allow the minister to refuse an offender's transfer from a foreign prison back to Canada if there was any risk to the public and, in particular, to the safety of a child. Offenders should serve the time in the country in which they were convicted.

Victims are generally kept in the dark about an offender's life in prison. They do not know whether offenders are taking part in rehabilitation programs, if they have been absent from institutions temporarily, or if they are being transferred to a minimum security facility. Victims deserve more, plain and simple. Therefore, Bill C-10 would give them the right to take part in conditional release board meetings, and to be in the loop about the behaviour and handling of offenders.

I have spoken up until now about keeping our streets and communities safer from crime, but there are other risks and other types of victims. I am speaking, of course, about terrorism and its victims. Just as victims of crime deserve a greater voice, so too do victims of terrorism acts. Bill C-10 would allow victims to seek redress in the courts against the perpetrators of terrorism and their supporters. It would set in place a rigorous process for the listing of state sponsors of terrorism by the Government of Canada.

Our government is determined to do everything in its power to protect Canadians and make our streets and communities safer for all. To achieve that goal, we want to make this legislation as strong as possible. I am proud that the government passed four amendments at the committee stage and has introduced another at report stage. I would like to add my support to the amendment proposed today and to the two passed by committee pertaining to public safety.

The initial legislation proposed that victims should be able to sue foreign states for supporting terrorism. The government has proposed today that victims should also be able to sue foreign states for having directly committed an act of terrorism. I am proud to support this proposed amendment. I am equally pleased to support the two amendments related to public safety passed by the committee. The first would help lighten the burden on victims of terrorism, while the second would allow a court to hear a matter based solely on the plaintiff's Canadian citizenship or permanent residency.

*Government Orders*

I want to add my thanks to the committee members for their good work. I must add that for all the hours I sat there, they did an unbelievable job on both sides. In recognition of the committee's close scrutiny of the bill, I urge all members to join me in supporting these amendments. Together, we can make our streets and communities safer for all Canadians.

**Mr. Bruce Hyer (Thunder Bay—Superior North, NDP):** Mr. Speaker, in no less than six months I have bought 13 copies of the book *The Spirit Level* by Wilkinson. I have given them away and I will buy more because it is a scientific work that shows how in the 33 richest, most developed countries, the four best countries in the world with outcomes including crime are the Scandinavian countries. The U.S. is the worst with these parameters and Canada is sliding toward the American model.

My question for the member is this. Instead of investing, as the U.S. has foolishly done and is now starting to see the error of its ways, when are the Conservatives, and hopefully the member, going to invest in education, health care, treatment for mental addictions, and especially work toward reducing the growing gap in income in some of the worst developed countries in the world?

**Mr. David Wilks:** Mr. Speaker, as a former police officer, there are a number of programs that are instituted by not only the RCMP but countless provincial and municipal police organizations that work toward trying to keep youth out of the system. We are pretty successful at it, but there is that segment of society that we cannot control. For those people, there needs to be a movement toward incarceration. It is unfortunate that has to occur, but it is part of the process.

● (1615)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I would like to pause for just a moment to thank the hon. member for Kootenay—Columbia for the non-partisan way he credited members on both sides of the committee. This bill has been so filled with rancour in the debate that that was a nice departure.

However, I do find it worrying that there is a lot rhetoric about how the bill supports victims, but there is very little in the bill that actually does support victims. I was taken with the evidence of the Ottawa Victim Services director, Steve Sullivan, who asked, "Where is the support here for women who have been victims of sexual violence"? Where is the support, the counselling, the help for victims who need funding to be able to manage when they have been assaulted and cannot get to work? Where is the tangible help for victims because I do not see it in this legislation?

**Mr. David Wilks:** Mr. Speaker, there are victim support groups throughout the provinces, and I will speak about British Columbia and specifically, my constituency of Kootenay—Columbia.

Victim support is part of the provincial court system that allows victims to go and seek redress for whatever type of requirement they need, whether it is for, as the member indicated, trying to get here and there to a doctor's appointment or to a counselling appointment. It provides opportunities for people to find programs that are available to help them move forward after the crime has been committed and the perpetrator has been dealt with.

I believe we are doing an excellent job with regard to crime prevention programs and support for victims of crime.

**Mr. Jeff Watson (Essex, CPC):** Mr. Speaker, for the benefit of those who are looking in on this particular debate today, there is some context to it. We talk about a balanced approach from the government with respect to how we deal with the criminal justice system. In budgets past we have made tremendous investments, multi-million dollar investments for that matter, in measures to prevent crime, to get to the at-risk youth. How did the opposition members vote on those? They opposed them, notwithstanding what they say today.

We have measures to put more front line police officers on the beat, working in the community to find those who are involved in crime and to work with community groups to keep people away from crime. How did they vote? They voted against it, notwithstanding what they say about prevention today.

Is not what we are dealing with today what the opposition has also stalled in previous Parliaments; that is, measures to rebalance the criminal justice system to deal with the public safety threats that are out there and it is reluctant to deal with? Would the member comment on that?

**Mr. David Wilks:** Mr. Speaker, we have been trying our best to move forward with Bill C-10 to ensure that the victims of crime are the ones that are recognized as the actual victims here. We have to ensure that those that commit the crimes do the time. I believe that Bill C-10 does that. I believe that we are heading in the right direction and I am all for this one.

**Mr. Jasbir Sandhu (Surrey North, NDP):** Mr. Speaker, I rise today to speak at report stage of Bill C-10, the Conservative omnibus bill. The bill is actually made up of nine bills combined into one. It is a bill that the Conservative government is ramming through the House without proper scrutiny. We do not even know how much it is going to cost. Witnesses were barely given time to speak as they were forced through committee so quickly.

New Democrats proposed to the government that the bill be divided, so that the parts which would improve public safety and help protect our children could be passed at all stages immediately. I am the father of two young children. I know how important it is to protect our children. Unfortunately, the Conservative government rejected our proposals.

We also proposed amendments to the bill, which the Conservatives flatly rejected at committee. The Conservatives do not want to debate the real problem with this legislation or any other legislation they put in front of Parliament.

Every day in the House the Conservatives undermine democracy by shutting down debate prematurely without reason. New Democrats tabled a motion in the House last Friday in a last attempt to stop this because this is a democracy and Canadians deserve a real debate.



*Government Orders*

The Parliamentary Budget Officer estimated that Bill C-10 would cost the federal government \$5 billion over five years and the provinces and territories somewhere between \$6 to \$10 billion. The Parliamentary Budget Officer is working to complete more detailed projections; however, he has to work basically in the dark because not all of the facts and figures have been provided to him by the government. The government has not provided adequate information so he can do his work.

Many critics suspect that the government's refusal to produce realistic costing documents is because it has no idea what the real price tag for Bill C-10 is going to be. Worse yet, the government wants to force this legislation into law before we have a chance to find out how much it is going to cost Canadian taxpayers.

Since the introduction of this controversial omnibus bill, we have seen a groundswell of concern from across this country. Opposition to the Conservative crime agenda has been steadily mounting. Experts from across the political spectrum have urged the government to rethink the sweeping changes to the criminal justice system that are contained in Bill C-10.

We have heard repeated warnings about huge costs to taxpayers, the crippling impact on our courts, and the enormous pressure that will be put on our already struggling corrections system. These serious warnings are simply being dismissed by the Conservatives without any explanation.

In response to questions about Bill C-10, the Minister of Justice recently commented, "We're not governing on the basis of the latest statistics". Clearly, facts and evidence, and research were not a priority when the government was drafting Bill C-10, but neither was the cost to taxpayers.

Provincial leaders spoke out in committee against the bill. They have been very clear that they are not ready to bear the costs of the government's political agenda, nor do they agree with many of the measures contained in the bill.

● (1620)

The Canadian Association of Crown Counsel has spoken out and has said that Bill C-10 will overload prosecutors and jam our already stressed court system.

This so-called tough on crime agenda has already failed across the border in the United States, where governments are moving away from the same approach that the Conservatives are now proposing. States like Texas are now abandoning the mandatory minimum and three strikes policies that lead to ballooning prison costs, populations and skyrocketing costs to the taxpayers. States have found that these approaches have actually done little to prevent crime, but do a great deal toward bankrupting the states.

Canada should be learning from the mistakes of our neighbours, not repeating them. We need practical solutions on crime that improves safety in our communities, not old strategies that are expensive and proven to be failures.

There are some measures in the bill, like provisions that toughen laws around child luring, sexual exploitation of children, that we as New Democrats fully support, but there are also those that will do nothing to make our streets and communities safer places.

New Democrats believe that the primary goal of any legislation, any changes to our criminal justice system, should be public safety, safer streets and to protect our families and communities. A major way to accomplish this is by supporting cost effective crime prevention programs that really make a difference, something which the government has failed to address.

I spoke up about a program last week. There is a society in my constituency whose funding is being cut and it actually helps at-risk youth, educating them about self-esteem and getting back into school. The funding for this program is being cut by the Conservatives.

Our communities would be safer if the government focused on goals like putting more police on the streets and stopping gangs from recruiting our youth.

Conservatives always talk about how they are investing into policing, the front line officers. The facts are that the Auditor General, in the last report in June, pointed out that police officers were woefully underfunded to fight against gangs and crime. We need more front line police officers. Not only do they help prevent crime, but they help to deter crime. That is a good way to go about preventing crime in our communities.

We should ensure that our corrections system has rehabilitation programs that reduce the rate of re-offending. Unfortunately, the government is cutting funding to prevention programs like the Pathfinders about which I talked. Youth gang prevention programs are critical to the future of our children and the safety of our communities.

This Conservative approach is not smart on crime. Canadians deserve better. I urge the government to reconsider the real concerns of Canadians expressed by members of the opposition and people across the country.

At the last stage of the bill, I urge the Conservative members to consider the amendments proposed by New Democrats and I urge it not to push the bill through.

● (1625)

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Mr. Speaker, I listened to my colleague's comments and am very interested to hear his viewpoint on a couple of things he brought forward.

First, he said that there was a groundswell across Canada against this bill. I was actually one of the members of Parliament who had a protest outside my office. There were 10 people and the majority of them were affiliated with special interest groups, some involved with the New Democratic Party and some with, let us say, original points of view on drug use.

*Government Orders*

The member said that we needed more police officers on the streets. Members know that we provided money for 1,800 more front-line officers, but the NDP voted against it. I know the gentleman is a new member, but he does not realize that his party's stance on this is way out of touch with Canadians.

He talked about the program cut in his community. We established these programs, but they are not meant to exist forever. Then New Democrats want us to extend programs that they have already voted against.

Could he address the fact that there are differences in the criminal justice system? There are hard-nosed criminals who repeat offences and the best thing we can do for victims is keep them off the street instead of allowing them back on the street and coddling them.

• (1630)

**Mr. Jasbir Sandhu:** Mr. Speaker, I may be new to the House, but I know what has been going on in the community. I have been listening to my constituents and there is huge support for the proposals that New Democrats are making. In fact, I have heard from many of my constituents who are dead set against this approach to the crime and prison agenda.

I do not have to look at the Conservatives' facts. I can look at the facts that are provided by the Auditor General. The Auditor General, in his June report, stated that the RCMP was woefully underfunded by the government and that we needed more front-line police officers so we could deter crime from happening in the first place.

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, my question for the hon. member relates to the impact of this bill on the provincial coffers. In my province, provincial institutions are already strained. This will add an additional strain, yet apparently there is no compensation that comes with it. We have heard from the Canadian Association of Crown Prosecutors that there is a lot of money for police and prisons, but in between there is a system that is stressed to the max and that system is largely the responsibility of provincial governments.

Could I hear from my hon. friend with respect to the impact on provincial governments?

**Mr. Jasbir Sandhu:** Mr. Speaker, we heard from a number of ministers at committee. We heard from Quebec, B.C. and a number of other provinces. The fact is this is basically offloading a federal cost to the provinces. I read in newspapers this morning that B.C. was already running a very high deficit. This is going to add additional costs to the provinces. Some of the programs that the provinces are responsible for, such as education, health care and schools, are going to be chopped as a result of the federal government bill.

**Mr. Bruce Hyer (Thunder Bay—Superior North, NDP):** Mr. Speaker, I have heard the Conservatives talk repeatedly about police officers. I am a former police officer. Is our hon. member aware that before he was elected, the NDP asked repeatedly for thousands more police officers? We just heard a member say that there was money for police officers and prisons. Unfortunately, it is only prisons.

Is he aware that New Democrats have been asking for more police officers and that the need has not been met?

**Mr. Jasbir Sandhu:** Mr. Speaker, I have worked with police officers for 14 years. A number of them were my colleagues and I worked side by side with them in my former job at the Justice Institute in New Westminster. I have talked to many police officers over the years. As part of my former job, I did training with police. Many police officers have said that the number one thing they need is more front-line officers on the streets.

They have been asking for additional police officers and New Democrats have been asking for additional police officers. In fact, one of my first questions for the public safety minister was about getting more police officers on the streets.

**Mr. Ted Opitz (Etobicoke Centre, CPC):** Mr. Speaker, I am grateful for the opportunity to speak on Bill C-10, Safe Streets and Communities Act. I welcome all of the proposals in the bill. I believe their enactment, both individually and collectively, will make a significant contribution to safeguard all communities across Canada.

I will first address the impact for victims of violent crime.

In my riding of Etobicoke Centre, there is a family named Cikovic. The parents are Vesna and Davorin. Vesna is a piano teacher and Davorin works at CBC-Radio. Their son, Boris, attended high school in Etobicoke at Scarlet Heights.

The Cikovic family were refugees from war-torn Sarajevo, with Boris arriving in Canada as an infant. This family worked to escape the horrors of a war where former neighbours preyed upon each other and visited atrocities upon each other in every form imaginable. The family settled in Canada, grateful for the new start they had and grateful for the opportunities that Canada had provided their son.

As Boris grew up in Canada, he became the all-Canadian kid, an athlete and gifted hockey player, a leader on the ice, helping less skilled players score and achieve rather than allow his own talent to dominate. He mentored his teammates. At so young an age, he showed maturity and wisdom that was returned by his large circle of friends with great affection and strong bonds that developed in elementary school and endured through high school and what would have appeared to be beyond university and throughout life. Boris was a leader and one that this close circle rallied around. He was a natural and his future appeared limitless. Then, on a night in 2008, Boris and his friends were transiting a local park, were accosted and he was shot and killed while being robbed of his backpack and valuables.

The Cikovics are victims, devastated by the tragic loss of their only son who had natural gifts and talents and was on his way to becoming a model Canadian success story.



*Government Orders*

What of the Cikovic family in this? Do is care that Statistics Canada says that crime is down, as the members opposite often cite? I asked the Cikovics that and their response was a resounding no. I challenge any member opposite to look that family in the eye and quote that statistic. The Cikovics are not vengeful people, but they are entitled to justice for their son.

Of the many provisions in Bill C-10, victims of crime would have the ability to present statements at Parole Board hearings. If attending the hearing, the victim may comment on the harm or damage resulting from the offence and its continuing impact, including concerns for his or her safety and the possible release of the offender. Even if the victims does not attend, the Parole Board may authorize presentation of the statement in an alternative format.

Also authorized to present a statement are the persons described to have been harmed or suffered a loss due to the act of the offender. This includes any safety concerns and concerns regarding the offender's potential release. This provision provides victims with empowerment and a role in the corrections process.

Other areas include the elimination of pardons for violent crime and measures that protect the public from violent and repeat young offenders.

Today I speak for a family that has been tragically victimized and I speak in the name of Boris Cikovic who can no longer speak for himself, but today in the House his voice is heard.

I will focus my remaining remarks on Bill C-10 proposals that address child sexual exploitation and violent crimes in part 2 of the bill.

As members know, these proposals were originally introduced as Bill C-54, protecting children from sexual predators act and with all party support had been passed by this chamber in the last Parliament. Bill C-10 has reintroduced these proposals with some additional sentencing enhancements that are consistent with and reflect the overall objectives of these reforms.

Part 2 seeks to better protect children and youth from sexual predators in two ways: first, by proposing sentencing enhancements to ensure that all sexual offences involving child victims are consistently and strongly condemned; and second, by creating new offences and measures to prevent the commission of a child sexual offence.

Bill C-10 has been reported back to the House of Commons after having been thoroughly studied by the Standing Committee on Justice and Human Rights, without any amendments to its child sexual exploitation reforms. Indeed, part 2 proposals received strong support by witnesses appearing before the justice committee, including the Canadian Association of Chiefs of Police, the Canadian Police Association, the Kids' Internet Safety Alliance, KINSA, as well as the minister of justice and attorney general for New Brunswick who said:

I believe strongly that crimes against children deserve strong sentencing. We believe the changes proposed in this crime bill will make it possible to achieve that objective.

I could not agree more.

Bill C-10 proposes to enhance the sentencing or penalties for sexual offenders involving child victims in two ways. It proposes to impose seven new and nine higher mandatory minimum penalties as well as higher maximum penalties for four child specific sexual offences.

● (1635)

These amendments are needed because, currently, the Criminal Code only imposes MMPs on 12 child specific sexual offences and none at all in the general sexual offences where the victim is a child. For those offences that already impose MMPs, these are inconsistent or simply inadequate. The effect of imposing MMPs in only some but not all sexual offences sends an inconsistent message that not all child sexual offences are serious and perhaps even that some child sexual assault victims are less victims than others.

Imposing inconsistent and inadequate MMPs is equally problematic. For example, currently the Criminal Code imposes a mandatory minimum penalty of 45 days for the offence of sexual interference of a child, even though the maximum penalty or indictment is 10 years. Bill C-10 proposes to fix this by increasing this MMP to one year.

To my mind, and I think to all of us here, the current inconsistent and inadequate approach to sentencing in child sexual abuse cases is wrong. Who among us does not agree that children are the most vulnerable in our society and that all children are deserving of equal protection against all forms of child sexual exploitation? As I noted earlier, Bill C-10 also seeks to prevent sexual assault against children. It proposes two new offences criminalizing sexual assault against children that police witnesses were particularly against.

The first new offence would prohibit anyone from providing sexually explicit material to a young person for the purpose of facilitating the commission of a sexual offence against that young person. Child sex offenders often use adult pornographic material to groom their victims, for example to lower their victims' sexual inhibitions with a view to making it easier to sexually exploit them. Though any such use of child pornography is already prohibited, this is not the case for adult material. Accordingly, this new offence would fill a gap. The proposed new offence would impose a mandatory minimum penalty consistent with other parts of the bill.

*Government Orders*

The second offence proposed by Bill C-10 would prohibit anyone from using telecommunications to agree or make arrangements with another person to commit a sexual offence against a child. This offence is modelled on the existing “luring a child” offence of the Criminal Code that prohibits the use of a computer system to directly communicate with a child for the purpose of facilitating a sexual offence against that child. However, as the “luring a child” offence only applies when communication is with the child victim, this new offence closes the gap where the communication is between two other persons to facilitate the commission of a sexual offence against a child. This offence would also impose a mandatory minimum penalty.

As well, Bill C-10 would impose a condition on convicted child sex offenders or on suspected child sex offenders, a recognizance or peace bond under section 810.1, prohibiting them from having any unsupervised access to a young person or unsupervised use of the Internet. Preventing a known or suspected child sex offender from having the opportunity and tools to commit a child sexual offence should protect other children from being victimized.

I urge all members to support the swift enactment of Bill C-10 so that Canada's children will be protected against sexual exploitation.

● (1640)

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, my heart goes out to the family of Mr. Cikovic, to whom the member referred earlier. We certainly do not disagree that we on both sides of the House would like to prevent crimes such as this. I guess that leads me to my question.

How would this bill do anything to prevent what happened to the Cikovics from happening again? Could the member explain that for me, please?

**Mr. Ted Opitz:** Mr. Speaker, it would assist in preventing further crimes because mandatory minimum sentences would be imposed on a lot of these crimes within Bill C-10, which would add a further deterrent to criminals contemplating perpetrating this form of crime, especially a violent crime in this case. If a crime, in this case as it has been committed, is perpetrated, it also would allow the victims a form of redress and being able to access the parole system and to have an ability to impact on the offender's incarceration.

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, I just want to follow up on that last answer. The suggestion from the hon. member is that the mandatory minimum sentence would provide a deterrent and yet there is no evidence for this. In fact, there is evidence in the United States to the contrary.

My question is whether the member's view of the criminal law is that the right way to go is “an eye for an eye and a tooth for a tooth”, or does he subscribe to a more enlightened view based on proportionality?

**Mr. Ted Opitz:** Mr. Speaker, Bill C-10 is a made in Canada law. It is not a made in the United States law. We are not looking at the United States, we are looking at us.

Canadians have given this government the very strong mandate to enact the laws. We made a promise that we would pass Bill C-10 with strong laws involved and ensure that serious offenders are jailed for the appropriate length of time. The bill also would ensure that our

victims feel that justice has been rendered. It is not an eye for an eye thing. It is an ability for the victims to be able to redress the crimes that have been perpetrated against them and to ensure that the criminals are incarcerated for an appropriate period of time, although rehabilitation still happens. It provides comfort to those victims that these criminals will not be released too early and that their rehabilitation time will have time to take root.

● (1645)

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Mr. Speaker, I listened to the question from the Liberal member opposite. I had an opportunity to practice criminal law and to actually be in the trenches in this kind of situation. I had a client who received two years less a day for sexually assaulting two of his daughters over a seven year period of time. He was able to serve that sentence in a house. I was ashamed of getting that sentence. I was, quite frankly, surprised that that sentence was available, first of all, which was about eight or nine years ago, but it is still available today, and we are taking away that opportunity.

Does the member think it is reasonable that a person who would do that to his daughters, two family members, over any length of time, if at all, would do any time or any punishment in their own home? Is that a reasonable disposition as is allowed today under the Criminal Code?

**Mr. Ted Opitz:** Mr. Speaker, it absolutely is not a reasonable time. Any offence against a child, whether it is a person's own child or someone else's, is absolutely reprehensible. However, when they are someone's own children who should feel safe and secure with their parents in their own home and they do not, and they are victimized by their own parents and then that parent is only sentenced to the absolute minimum possible term, that continues to victimize those children again because that individual will be released in two years less a day or less than that even. That will cause further harm to those children down the road because of psychological impacts and because justice will never have been fully rendered in their case.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, it is a pleasure to stand today to talk about Bill C-10. Bill C-10 would have a very profound impact. I think, in good part, it would set the stage in terms of different ways in which we ought to be able to deal with crime in our country, not only for today but well into the future. It is nice to use this particular bill as a bill that clearly illustrates the difference between the Conservative government and the Liberal Party of Canada or even, to a certain degree, the New Democratic Party.

On the one hand, we have a government that is very determined to give the impression to Canadians that it will be tough on crime and that by supporting the Conservatives somehow the crime rate in Canada will go down. Over the years, the Conservatives have been going out of their way to give that impression.

For me, personally, and I believe for the Liberal Party, the real push should be on how we can prevent crimes from taking place in the first place.



*Government Orders*

I want to go back to what real people are saying on our streets and in our communities across Canada. I represent Winnipeg North, which is a beautiful area of Winnipeg. It has great attributes and characteristics. It has a great deal of history. It has a modern suburban area. I was touched by the comments made by one constituent living in and around the Selkirk-Pritchard-Arlington area. She told me that she did not feel that she was safe enough during the nighttime to be able to go to sleep, that she preferred to sleep during the daytime because she felt it was safer. One of her comments was that she was also scared to go outside her home at night, even into her own yard. In essence, she was saying that when the sun goes down she becomes confined to staying in her own home. I was very concerned about that particular constituent.

Throughout the campaign, whether it was the byelection of last year or the general election of this year, in the door knocking that I conducted, I found that the whole issue of crime and safety was one of those issues of concern. It did not matter which door I knocked on, if I were to raise the issue, the residents were more than happy to give an opinion on their concern about the issue of crime and safety.

We could talk about defence spending, health care or many other different issues that were out there but the only issue I found that was consistent, no matter what door I knocked on, was the issue of crime and safety. What that one elderly lady had raised with me was not the only instance where something really struck me. I remember talking with another senior gentleman who was living in an apartment unit. He told me about the two wallets he carried when he walks around. The reason he carried two wallets was that in case he was mugged he would give the empty wallet and then he could continue on his way.

That starts to cause a great deal of concern as the local member of Parliament as to why it is that people get these opinions and feel that insecure when they go out into our communities.

● (1650)

I could give many other examples that were raised. My overriding concern is that I want to be able to make a tangible difference in the community in which I live and the community I represent. I believe, for the most part, that other members of Parliament would like to do the same. They want to deliver for their constituents. They want to ensure that their constituents feel secure in their communities.

As I indicated, Winnipeg North is a wonderful area. I am proud of the fact that I come from Winnipeg North. I want seniors in my community to feel comfortable, and for the most part, they do. We recognize the richness of our community. However, a lot needs to be done to make our seniors and others feel safer in their environment.

I get a bit frustrated when I look at this legislation. The Conservatives' agenda on crime is not necessarily going to deal with the issues that concern my constituents. My constituents want the government of Canada to prevent crimes from happening. That is what they really want.

Naturally, they want to see a consequence for a crime. All of us recognize that there needs to be a consequence when someone commits a crime. We do not question that. My constituents want a government that is caring and compassionate and delivers. They want safer communities.

Let us take a look at Bill C-10 and what it purports to do.

Bill C-10 is a huge bill. It easily could have been broken into eight or nine other bills but the government has compiled everything. There are some good things in the legislation, but its overall tone is not good.

I would suggest, and I made reference to this when I was asking questions earlier, that the focus of the bill seems to be on building more jails, a superjail complex. A number of American states experimented with this concept years ago.

Some individuals in the late 1970s and mid-1980s discussed building more prisons and keeping prisoners in jail. They felt that crime on the streets would go down. Those very same states have now recognized that they were going in the wrong direction. They are now starting to recognize the greater value in programs that make a difference in preventing crimes. They are starting to recognize that individuals do not necessarily have to be kept in jail for 5, 15, 20 years.

I would challenge the government to talk about other jurisdictions that are moving in the same direction. Most modern western countries are moving toward rehabilitation and crime prevention. People are more proactive within their communities. The government quite often responds by saying people have to be kept in jail because of the victims.

Property crime is far more frequent than violent crime. There is a lot more interest in violent crime in terms of making sure there is some form of adequate jail time. Judges have done a good job in using that discretion.

● (1655)

The government needs to recognize that it is a balancing act. Our priorities need to be that we either create the additional jails or invest in ways to keep people out of jails. I think we would be much better off if we put the focus on the latter, because there is a finite amount of resources. When there is a finite amount of resources, it becomes an issue of prioritizing. I believe the priorities of the government on fighting crime are going in the wrong direction.

**Mr. Tyrone Benskin (Jeanne-Le Ber, NDP):** Mr. Speaker, some of the community workers in my riding consistently gave me really interesting figures. For example, for every \$5 invested in prevention, there is \$95 spent incarcerating an individual.

There is nobody in this House who does not agree with stiff sentences for people who harm children. There is nobody who does not agree with stiff sentences for people who take people's lives. In my riding, a mother lost her son to three young individuals who beat him to death. My heart goes out to her. For her, justice needs to be served.

However, we are talking about people who grow a little pot and are thrown in prison for a year and a half. Prison can be a very scary place, but it can be a very educational place. After that year and a half when those young people get out, they are hurt, they are bitter, they are messed up and they will take that out on society.

I would like my hon. colleague to comment on how this helps keep crime off the streets by creating better criminals.

● (1700)

**Mr. Kevin Lamoureux:** Mr. Speaker, I was a provincial justice critic for many years. One of the biggest things we wanted to establish was that the best way to fight crime and prevent crime was to invest money up front. Investing money up front in programs that will steer people away from committing crimes is far more effective. At the end of the day, we will have less crime on our streets and better and safer communities.

I appreciate the comments by the hon. member. I must say I also concur with his comments. Because I do not support the bill does not mean in any fashion whatsoever that I do not believe there needs to be a consequence for many of those crimes, such as pedophilia and so forth.

**Mr. Daryl Kramp (Prince Edward—Hastings, CPC):** Mr. Speaker, I have been listening to the member opposite. I served as a police officer for a number of years and I recognize the reality of the balanced approach. We do have to have prevention, treatment and rehabilitation. Like most Canadians, I certainly do not have difficulty with that.

However, we also have to recognize there is an element of society, unfortunately, that is dangerous. These people need to be isolated from the public as a matter of protection.

I am just hearing about money for jails. I am wondering how many opposition members have actually visited some of our penal institutions. Many of them, quite frankly, are archaic. They are barbaric. There is no possibility, or even facility, for rehabilitation and/or self-improvement. We have to bring things up to a level of accommodation where we can provide that balanced approach.

We do need protection and prevention, but it does take all. The bill obviously does not deal with the total scope. There are other bills that deal with prevention as well, but this deals with protection and victim protection.

I hope the opposition members would recognize that and in due course give the bill support, because of those principles.

**Mr. Kevin Lamoureux:** Mr. Speaker, Gary Kowalski was a wonderful police officer. He and I served in the Manitoba legislature. Gary Kowalski said that if we wanted to deal with youth, we should get involved in youth justice committees. That way, we would be able to deal with preventing crimes.

In the last number of years, especially in the province of Manitoba, the youth justice committees and the roles they have played have actually deteriorated.

It is an issue of priorities. If those were the government's priorities, then we would see better results at the end of the day and less crime on our streets.

**Hon. Judy Sgro (York West, Lib.):** Mr. Speaker, I want to compliment my colleague on his passion when he speaks in the House. He should win the award for the most passionate speaker on many issues, frankly.

A lot of us share concerns about wanting to have a balance in this bill. On the issue of the mentally ill and how they are treated, I wonder if there has been enough discussion and debate. Is there

### *Royal Assent*

anything in Bill C-10 that is really going to speak to those who are mentally ill when it comes to crime?

**Mr. Kevin Lamoureux:** Mr. Speaker, the member brings up an exceptional point. Whether it is mental illness or disorders such as fetal alcohol syndrome, there are issues that have a profound impact on what individuals are doing in our communities. If we do not allocate the necessary resources to support better programming, at the end of the day we are going to end up spending more money on our jails and there will be more crime on the streets.

I know this is a point that I hammer home every time I speak, but for me it is all about reducing crime on our streets. That is one of the reasons why I find it so difficult to support this bill. If we invested a little more in things like the member just made reference to, trying to address mental illness, it would do far more than this bill would do in terms of reducing crime on the streets.

## ROYAL ASSENT

[Translation]

**The Acting Speaker (Mr. Bruce Stanton):** Order, please. I have the honour to inform the House that a communication has been received as follows:

Rideau Hall  
Ottawa

November 29, 2011

Mr. Speaker,

I have the honour to inform you that the Right Honourable David Johnston, Governor General of Canada, signified royal assent by written declaration to the bills listed in the Schedule to this letter on the 29th day of November, 2011, at 4:15 p.m.

Yours sincerely,

Stephen Wallace  
Secretary to the Governor General

The schedule indicates the bills assented to on Tuesday, November 29, 2011, were Bill C-22, An Act to give effect to the Agreement between the Crees of Eeyou Istchee and Her Majesty the Queen in right of Canada concerning the Eeyou Marine Region, Chapter 20; Bill S-3, A third Act to harmonize federal law with the civil law of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law, Chapter 21; and Bill C-16, An Act to amend the National Defence Act (military judges), Chapter 22.

\* \* \*

● (1705)

[English]

## MESSAGE FROM THE SENATE

**The Acting Speaker (Mr. Bruce Stanton):** I have the honour to inform the House that a message has been received from the Senate informing the House that the Senate has passed the following bill: Bill S-206, An Act respecting World Autism Awareness Day.



*Government Orders***GOVERNMENT ORDERS***[English]***SAFE STREETS AND COMMUNITIES ACT**

The House resumed consideration of Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, as reported (with amendments) from the committee, and of the motions in Group No. 1.

**Mr. Ryan Leef (Yukon, CPC):** Mr. Speaker, we are told that the safe streets and communities act will harden criminals and increase recidivism, yet experts agree that rehabilitation strategies work. Many of these programs occur within the correctional environment and the length of a sanction should be proportional to the offence, and must consider the victims of crime who are all too often ignored.

The bill has many facets designed to protect the rights of victims by enshrining a victim's right to participate in parole hearings and address inmate accountability. At the same time, the bill will allow judges to defer sanctions for offenders enrolled in drug and alcohol treatment programs. Our government continues to invest in prevention strategies which are critical in ensuring safe streets and communities.

A key pillar of our national anti-drug strategy is prevention and treatment for those with drug dependencies. Since 2007 the health portfolio has invested \$577 million over five years for the strategy's prevention, treatment and enforcement activities.

Our government has made significant treatment investments to strengthen existing treatment programs through the treatment action plan. Communities can celebrate funded health promotion and prevention projects for youth through the drug strategy community initiatives fund with over 100 approved projects across Canada. This represents approximately \$40 million in multi-year community based investments. The national crime prevention strategy's priorities include: addressing early risk factors among vulnerable children, youth and young adults; preventing recidivism among high risk offenders; fostering crime prevention in aboriginal and northern communities; and preventing youth gang and drug-related crime. It also includes the SNAP Girls Connection program.

All too often, the message of media fixates on the silos of government. When one looks across departments, there are tremendous and well-balanced approaches to safer streets and communities.

We continue to hear the NDP bring up Texas. I fundamentally disagree with any comparison between the Canadian correctional system and the Texas model. Texas has a population nearly equivalent to Canada in its state alone, yet it incarcerates its citizens at a rate five times higher than Canada.

The NDP quoted a recent article, but experts from Texas failed to mention that its relative crime rate has actually gone up for offences of murder, forceable rape, robbery and burglary, despite its enlightened approach to crime and sanctions. Texas still boasts the death penalty and has eliminated last meal rights for the condemned.

Texas crime rates have fluctuated up and down since 1960 and will continue to do so. Texans will certainly be left scratching their cowboy hats when their rates continue to fluctuate over time. I encourage members opposite when discussing Canadian realities to remember these facts and to please not mess with Texas.

In respect to marijuana grow operations, there has been a tremendous amount of fearmongering and misinformation around this aspect of the bill. First, one must consider the volume and value six plants of marijuana can create. The proliferation of the idea that it is just six plants, meaning no harm can be caused, is both irresponsible and wrong. Once again, there is failure on the part of critics to consider victims and innocent people.

Take for example drug endangered children. Carbon dioxide enhances plant growth, but poses serious health risks to humans. High concentrations can displace oxygen in the air, resulting in oxygen deficiency, combined with effects of carbon dioxide toxicity. Grow operations contain high levels of humidity and are prone to build-up of various moulds which can damage human health, causing aggravating immunological diseases such as hay fever allergies, asthma, infections, and even cancer. The likelihood of a house fire is 24 times greater in a home with a grow operation compared to an ordinary household.

Drug endangered children are at greater risk of neglect, domestic violence, pre and postnatal alcohol abstinence syndrome, and sexual abuse. Grow operations are often linked to criminal activity and organized crime. The environment is also very high risk for physical assault, home invasions, gang violence and homicides. Increasing liberal attitudes toward marijuana has led to an increase in the number of child neglect and abuse cases that can be directly attributed to marijuana, according to Lori Moriarty at the Stafford conference.

There is also a misnomer that this bill creates new criminals, when in fact all of the offences dealt with are criminal, and our government is committed to dealing with the most reprehensible crimes in our society. One is protecting children from sexual predators.

• (1710)

One is protecting children from sexual predators. This point I find particularly positive considering the recent RCMP intelligence report, which stated, "The availability of child sexual exploitation material for purchase, over the Internet, remains a problem".

Penalties for organized drug crime and protecting the public from violent and repeat young offenders are others. I emphasize the words “violent” and “repeat”.

Another is preventing trafficking abuse and exploitation of vulnerable immigrants.

Corrections Canada applauds the bill's efforts to address inmate accountability, responsibility and management under the Corrections and Conditional Release Act, which protects and encourages inmates engaged in a rehabilitation program.

On the topic of new prisons, initial projections of population increases from past legislation has not been realized. There is no link between new prisons and this legislation. New prisons are required to reflect the rehabilitative and corrective model essential to achieving objectives of health, hope and healing of inmates.

The opposition criticizes new prisons yet presses for more programming and single cells for inmates. It fails to realize the intrinsic link between the building of new correctional facilities with cleaner, safer environments with more room and controls in order to allow staff and inmates the best possible environment to engage in rehabilitative programs.

The Yukon corrections model is an excellent example of moving from a close supervision model to a direct supervision model, which will be greatly enhanced with the move to its new correctional facility in 2012.

When one considers the cost of correctional facilities in housing offenders, it must be remembered that the tangible costs of crime on victims is much higher, 80% of which is borne by the victims themselves. The Canadian Bar Association stated:

This bill will do nothing to improve that state of affairs, but, through its overreach and overreaction to imaginary problems, Bill C-10 could easily make it worse. It could eventually create the very problems it's supposed to solve.

If there are imaginary problems, then we will not see the contradictory message it is suggesting of an increased prison population as there will not be imaginary criminals, imaginary trials, and imaginary sentences that would have such a result.

We do know that the problems are real and I would invite the Canadian Bar Association to write to the community of Citadel, which was devastated when an illegal grow operation caught on fire and damaged seven neighbouring homes. It should also write to the province of Alberta, where the ALERT organization dismantled 200 grow operations in Calgary, seizing nearly 70,000 plants. Of those grow operation locations, 151 were unfit for human habitation. In 2011, almost 46,000 plants worth \$56.3 million has been taken off the streets of that province. That is not imaginary.

According to a justice department study, only one in every six individuals convicted of running a grow operation in B.C., Alberta and Ontario, between 1997 and 2005 actually served time in prison.

The killer of RCMP officer Dennis Strongquill, Laurie Ann Bell, was an impulsive drug-addicted alcoholic whose contempt for the courts had shown little remorse or understanding for the impact of her crime. According to National Parole Board records, whose hands were tied under the current legislation, she was released after serving less than seven years. Corporal Brian Auger, Strongquill's former

partner, was not told of Bell's impending release. “Nobody ever spoke to me”, he said. “They should maybe talk to the people that were involved and get a better idea or understanding as to what the victim goes through.”

Bill C-10 will do just that and enshrine victim participation in Parole Board hearings and keep victims better informed about the behaviour and handling of offenders.

Perhaps the Canadian Bar Association and the NDP would like to reaffirm their positions to Corporal Auger and Dennis Strongquill's family that our government is reacting to imaginary problems.

Under this government, we have another 1,000 RCMP officers on the front line and we have invested \$400 million to help the provinces and territories recruit more police officers.

The 9/11 attacks claimed 3,000 people including Canadians. The 2002 Bali bombing attack was the deadliest attack in the history of Indonesia. That killed Canadians as well. Were these imaginary problems?

On a personal level, I have engaged youth in the communities to deliver teamwork, leadership, health and anti-bullying workshops which have engaged youth and community leaders, and increased self-esteem in both the boys and girls who have participated. This demonstrates what we can do as individuals to raise a respectful, healthy, law-abiding community.

Therefore, when we step outside the silos we create and see the bigger picture beyond the body of legislation, our government is achieving the right balance between victims' rights, crime prevention and rehabilitation for a better Canada.

• (1715)

BILL C-10—NOTICE OF TIME ALLOCATION MOTION

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I rise on a point of order. In the last election the Conservative Party received a mandate to take action with tougher sentences for child molesters, tougher sentences for drug dealers, and tougher sentences for organized criminals. All of those measures are included in Bill C-10, the bill the House is currently debating, which the government committed to passing within 100 sitting days.



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With that in mind, I must advise that an agreement has not been reached under the provisions of Standing Order 78.(1) or 78.(2), concerning the proceedings at report stage and third reading of Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts.

Under the provisions of Standing Order 78.(3), I give notice that a minister of the Crown will propose at the next sitting a motion to allot a specific number of days or hours for the consideration and disposal of proceedings at those stages.

## REPORT STAGE

**Mr. Jack Harris:** Mr. Speaker, I would like to seek unanimous consent to move the following motion. That, notwithstanding any Standing Orders or usual practices of the House, proceedings at report stage of Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, be discharged and that the bill be immediately referred back to the Standing Committee on Justice and Human Rights for the purpose of more fully conducting clause-by-clause consideration of the bill, and that it not be reported back to the House in fewer than 15 sitting days.

We are proposing this motion in order to ensure that this bill receives proper consideration. We saw at report stage this morning, half a dozen or more amendments by the government itself that were ruled out of order because they could have been, I think in the words of the Speaker, presented at committee. That is what the Speaker said in his ruling this morning.

It seems pretty obvious that the government itself now recognizes that there was not sufficient time at committee to give consideration to proper amendments, that the bill is flawed, and that the way to resolve this is to send it back to committee. So I am assuming that we will have unanimous consent from members opposite for this motion.

• (1720)

**The Acting Speaker (Mr. Bruce Stanton):** Does the hon. member have unanimous consent to propose the motion?

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** There is no consent.

Questions and comments, the hon. member for Thunder Bay—Superior North.

**Mr. Bruce Hyer (Thunder Bay—Superior North, NDP):** Mr. Speaker, we heard a lot of words about how spending on prisons is somehow going to help children. It was a little lost on me, but I noticed an interesting story from the member for Winnipeg North about two wallets. It seems to me the Conservatives do have two wallets. They have a bulging wallet of about \$3 billion a year in burgeoning prison costs, but there seems to be little or nothing in the wallet for school nutrition programs, dental care for children, early

childhood education, a national child care program, and elementary and post-secondary education.

I would like to ask the hon. member, if he really does care about children, why is there no investment in that wallet?

**Mr. Ryan Leef:** Mr. Speaker, I am not sure that the hon. member's comments were directly related to the bill at hand, but let us talk a bit about that wallet that we are carrying, including \$577 million over five years for the strategy, prevention, treatment and enforcement activities, our anti-drug strategy.

Our health portfolio has invested millions of dollars. It is the one thing I commented on in that speech about not operating in silos. When we look at our investments in education, health, sport and recreation, across all those pillars, our government is making exceptional investments in the people of our country.

It is when we just look at the one bill and if this were the only strategy we had for improving the lives of Canadians, I would agree that this would be problematic. However, it is one tool in a whole host of tools we are using to improve the lives of Canadians.

I do take exception to the fact that the member said there was any link, or I made any suggestion in my speech, to how prisons were going to help children because nowhere in my speech did I mention that.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, we recognize that we have provincial governments and we have many professionals across Canada who have expressed great concern in regard to Bill C-10. Close to one third of our chamber, I believe, is made up of new members of Parliament. Yet, we just had the government House Leader stand in his place and move yet another motion of time allocation thereby preventing many members of Parliament from being able to speak to the bill and provide comment on the bill as to what their constituents might have to say and so forth.

Why is the government so focused on taking away the ability of members to contribute to the debate on Bill C-10? Why is the government so focused on ignoring the professionals across Canada and the many different provincial jurisdictions that say that this is a bad bill? Why are the Conservatives doing it?

**Mr. Ryan Leef:** Mr. Speaker, it is no wonder there are other organizations and jurisdictions concerned about this. A large part of that has to do with the tremendous amount of misinformation and fear-mongering that has been done by the members opposite.

It has been outstanding to hear the comparisons to a Texas model, the warnings to people that we will be throwing six year olds in jail over two marijuana plants growing in their basement and all kinds of misinformation.

What we are doing during this debate is correcting the record. We have heard time and time again that many of these bills that are now combined into one to make it more efficient were already passed and presented were it not for an untimely election that we were thrust into, courtesy of the Liberal Party that is now relegated to the back benches.

• (1725)

**Mr. Mark Strahl (Chilliwack—Fraser Canyon, CPC):** Mr. Speaker, it was a pleasure to listen to the member for Yukon. I appreciate his experience as a former RCMP officer.

I have met with corrections officers who are very pleased with the provisions in this bill as they would allow accountability for inmates who often before had no consequences for their activities in correctional facilities.

Could the member address the positive measures in this bill that corrections officers and the correctional system can use to ensure that inmates are accountable for their activities when they are in prison?

**Mr. Ryan Leef:** Mr. Speaker, having been a deputy superintendent of operations at a correctional facility in Yukon, I can say that when inmates have a plan and when that plan is worked with case managers and there are goals and objectives, we can find correctional environments to be a place of help, hope and healing.

Recidivism programs, the opportunity and time for them to work on things that have brought their criminality to the point where they are in jail, are very important locations for them to do that. The investment in new facilities, clean environments, safe places where staff and inmates can interact together are very important to close that gap so that we actually can work on those recidivism programs and truly reduce crime in this country.

**The Acting Speaker (Mr. Bruce Stanton):** Before I recognize the hon. member for Halifax, I will have to let her know that we only have three to four minutes remaining. We will get started just the same and I will give her an indication when there is one minute remaining. Then we will have to go to the next order of business.

The hon. member for Halifax.

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, I am disappointed by that timing but I will be back tomorrow, hopefully, to finish my speech because it is really important for me to get on the record about this bill.

I have been thinking about the omnibus crime bill a lot. It comes to mind whenever I have a moment to think, like on the plane from Ottawa to Halifax, or on the walk to the office. In fact, it came to mind last week in church, because last Sunday, November 20, at the Cornwallis Street Baptist Church. Together with community members and descendants, Reverend Rhonda Britton and Dalhousie president Tom Traves, we celebrated not only the life but the legacy of James Robinson Johnston, the legacy that he left for Nova Scotia and for all of Canada. It was at this commemorative service that I started to think differently about Bill C-10. I will explain that.

James Robinson Johnston enrolled in Dalhousie University at the age of 16. He received his Bachelor of Letters degree in 1896 and his Bachelor of Law in 1898. He was the first member of Nova Scotia's black community to graduate from university and then, also, from law. He blazed a path for many to follow. His work in the African Nova Scotian community made a profound impact on the progress of African Nova Scotian communities today.

In 1991, a James Robinson Johnston chair in Black Canadian Studies was established at Dalhousie University to commemorate

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and deepen the link between the African Nova Scotia community and the academic study that takes place at universities.

Last Sunday, at the Cornwallis Street Baptist Church in my community, we not only remembered James Robinson Johnston, but we also had the opportunity to welcome the new JRJ chair in Black Canadian Studies, Dr. Afua Cooper. In her address, Dr. Cooper noted that James Robinson Johnston, along with many members of our African Nova Scotian communities, was a descendant of the 2,000 black refugees who fled the United States after the War of 1812 and settled in Nova Scotia.

The War of 1812 caught my attention and it made me stop to think about the government's recent decision to commemorate the War of 1812, and spending millions of dollars to do so. It also made stop to think about how our government is spending millions of dollars to commemorate a moment in history when free slaves came to Canada and how we are, at the same time, debating a bill in the House that would see thousands more Canadians in our jails, added to a prison population that is already disproportionately African Canadian.

I was sitting there thinking about this and trying to figure out if it was ironic or if it was just plain shameful, and a young woman named El Jones stood and took the stage. She is an amazing spoken word artist. I have seen perform many pieces about the realities of our community. Her performances are always thoughtful, provocative and truthful. In her piece about James Robinson Johnston, she said one line that crystallized what I was thinking about. In describing some of the needs of the black communities in Canada, she said, "Because we need black lawyers and judges to advocate for us Reforming the courts where we are disproportionately jailed".

That is it. We have failed to apply a racial lens to these bills. My NDP colleague from Edmonton—Strathcona eloquently spelled out the potential impacts of this bill on first nations, Inuit and Métis people earlier this afternoon. She was exactly right. Who is our system failing? All we need to do is look in our prisons and we will see who our system fails.

I look forward to the next opportunity in this House to finish my speech.

• (1730)

**The Acting Speaker (Mr. Bruce Stanton):** The hon. member for Halifax will have six minutes remaining and five minutes for questions and comments when the House next returns to debate on this motion.

It now being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.



*Private Members' Business***PRIVATE MEMBERS' BUSINESS***[English]***EMPLOYMENT INSURANCE ACT**

**Mr. Richard Harris (Cariboo—Prince George, CPC)** moved that Bill C-316, An Act to amend the Employment Insurance Act (incarceration), be read the second time and referred to a committee.

He said: Mr. Speaker, I am pleased to move Bill C-316, an act to amend the Employment Insurance Act (incarceration).

Simply put, the bill would ensure that a convicted criminal would not have preferential access to EI benefits compared to law-abiding Canadians. The bill would remove the extension to the qualifying period and the benefit period under the employment insurance program that is currently equal to a time a convict spends in prison.

As we speak, convicted felons have the ability to extend their qualifying and benefit periods up to a maximum period of 104 weeks as opposed to 52 weeks for a law-abiding citizen who is out of work. People out there do not know this. It is a section of the Employment Insurance Act that must be changed. Given these extensions are not available to law-abiding claimants who are actively looking for work, this is simply not fair. Bill C-316 would remove the extension of the qualification and benefit period for the time someone spends in jail.

The Minister of Human Resources and Skills Development has indicated that the government would like to move two friendly amendments, and I certainly support these amendments.

The first amendment would ensure that my bill would only remove the extension of qualification and the benefit periods for individuals who have actually been convicted of a crime and are in jail. This would ensure that individuals held in pre-trial custody but who are subsequently found innocent would not be affected by this bill.

The second amendment would have the bill coming into force on a Sunday. This would align the implementation date of the bill with the employment insurance calendar, which works in two week increments starting on a Sunday.

I will quickly reflect on how the current employment insurance system works and what motivated me to move the bill.

Currently, when an individual applies for employment insurance they are evaluated as to whether they have worked enough hours in the qualifying period to receive benefits. The standard qualifying period is 52 weeks in length. The qualifying period can only be extended under four circumstances under the act and can only be extended only to a maximum of 104 weeks. I will read them to give some context as to why I feel the exemption related to prison must be removed.

The first extension for being incapable of work is because of prescribed illness, injury, quarantine or pregnancy. The second extension is being confined in jail, a penitentiary or a similar institution. The third applies if one receives some assistance under employment benefits, such as a plan from one's previous employer. The fourth relates to receiving payments under a provincial law on the basis of having ceased to work because continuing to work could

result in danger to an unborn child or a child for whom a woman might be breastfeeding.

It is the second provision related to jail that I am seeking to amend because it relates to circumstances under the control of the individual. I will provide an example of how the exemption works.

Under our current legislation, a convicted criminal could be in jail for one year, come out of jail, apply for EI and the hours worked in the last two years would be considered qualified for employment insurance. A law-abiding citizen who applied at the same time would only be able to count the hours worked in the last year. In other words, a convicted criminal who spent a year in jail would have 104 weeks to apply for a 52-week qualification period. It is as if the prison time simply did not count. However, a person who took a year off for family reasons or to pursue some other interest would only have a 52-week period. This is not fair.

• (1735)

A similar situation could occur with the benefits period. Typically, an individual can only receive regular employment insurance benefits for 52 weeks after the date of applying. There is an exemption if someone has been in jail or prison, like I just mentioned. Someone coming out of prison would be allowed an extension of 104 weeks in which he or she could take employment benefits. It would be as if the 52 weeks spent in jail did not happen and he or she would start on 52 weeks. That is not fair.

It is particularly unfair because any regular EI benefits that a law-abiding citizen applies for but does not take within 52 weeks of filing disappears once that 52 week period expires. This is in contrast to a convicted felon who could collect benefits for up to 104 weeks after making a claim, depending on the time spent in prison.

This is all in contrast to the law-abiding citizen who started receiving the same length of benefits as the convicted criminal. The law-abiding citizen would lose his or her benefits, while the convicted criminal would retain his or her benefits because of being in prison. It is just not fair.

Someone convicted of a crime should not receive preferential access to employment insurance benefits. Individuals choose to commit crimes. Why should those individuals receive preferential treatment over law-abiding citizens who choose to take time off and as a result would lose the benefit period? It is simply not fair.

It is one thing if someone is unable to work because of sickness. It is another matter entirely if someone convicted of a crime has greater access. That is the basis of my bill. That individual chose to break the law.

To be clear, this is not about punishing criminals further. Our justice legislation is clear about what the punishment for crime should be and thanks to a strong, stable, national Conservative majority government what the punishment will be.

The bill is about ensuring that convicted felons are forced to live by the same rules as law-abiding citizens. What Canadian would agree that a convicted felon should receive preferential treatment with regard to employment insurance benefits? No right-thinking Canadian would support that for a second.

People who choose to break the law and lose their jobs because of it is no different than people being fired for just cause. Those individuals made a choice to act in some way that ended the employment, whether they committed a crime and went to jail, or whether they committed some other offence on the job that caused them to be fired. They made a choice and they should not receive preferential EI benefits over a hard-working, law-abiding Canadians who lose their jobs through no fault of their own. It should not happen, and that is the purpose of my bill.

The bill is about fundamental fairness when it comes to accessing employment insurance benefits. Canada probably has the most generous and most helpful employment insurance programs than any other country in the world. We only have to look at the last couple of years when we were going through the recession. One only has to look at the bills our government brought in, such as the extended work benefits and job sharing. We have done everything we can, something unheard of in most other countries. This government believes in fairness. We are being fair to the law-abiding people who work our country. As I said before, the issue is fairness.

• (1740)

Should a convicted felon found guilty of wilfully committing a criminal act be given preferential access to employment insurance benefits simply for being confined to a jail? Members on this side of the House say a resounding no, that this should not happen. As I said, any clear-thinking Canadian would come up with the same response, no.

Therefore, I ask my colleagues in this place to support the bill in principle and pass it at second reading because it is the right thing to do. Who in the House can successfully argue that someone who has wilfully committed a crime and gone to jail should all of a sudden be eligible for preferential treatment under the EI program? I suggest no one can. I am afraid, given the NDP's soft on crime ideology, that there will be some arguments, but it is beyond me how it will be able to justify that.

I am sure that people watching this at home tonight never knew that people who went to jail because they had committed crimes would have preferential treatment. They are probably wondering how that could possibly happen. It happened years ago when the Employment Insurance Act was written. I do not know what government it was under, but somehow the provision was put in that allowed for this.

I ask my colleagues in this place to support this bill at second reading. It is a good bill. It is a bill that needs to be passed to clean up that portion of the act that is simply not fair.

Our government has clearly shown that it cares about people who go through hard times because they lose their jobs. We have expanded the access to Canadians who have found themselves in that position. It is only right for a caring government to do that. This government cares about working Canadians and their ability to

provide for their families through their jobs. We will always be there for Canadians, but we must not allow people who wilfully put themselves in positions where they are convicted of crimes and go to jail or who wilfully get fired from their jobs to have preferential treatment over people who are hard working and lose their jobs through no fault of their own.

• (1745)

[Translation]

**Mr. Claude Patry (Jonquière—Alma, NDP):** Madam Speaker, I would like the hon. member to explain how they are going to manage this when we know that a person can be incarcerated, in remand, for up to a year and a half before his trial takes place and he is acquitted. According to the bill, we would no longer be talking about 104 weeks but only 52 weeks. Thus, the person would not be entitled to any benefits at all. How will they manage this?

[English]

**Mr. Richard Harris:** Madam Speaker, I thought I was quite clear about who this bill would target. It targets individuals who have committed crimes, are convicted and sent to jail. People in preventive custody are not the same. That is the difference. If people are arrested for committing crimes, detained until trial, subsequently go to court and are found innocent, it does not affect them. It does not apply to people in institutions for health reasons, which are not jails or prisons.

I thought I was quite clear about that, but I can assure the hon. member that this is specifically targeted at convicted felons who are in jail and who receive preferential EI treatment because they went to jail.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Madam Speaker, I would like to get a little more clarity on that issue. Maybe the best way to do that is to give a tangible example.

If John Doe collects employment benefits today and for whatever reason is remanded into custody and it takes two or three months to ultimately go to trial, what specifically happens to his cheques? Does he continue to receive the cheques until he goes to trial and a determination is made?

There might be other financial responsibilities for that individual who is, for all intents and purposes, innocent until proven guilty. Those financial responsibilities could include children, spouse, parents or whatever it might be.

Could the hon. member provide 100% clarity? Does the person continue to receive employment benefits if he is held in custody?

**Mr. Richard Harris:** Madam Speaker, I thought I just dealt with a situation like that. If people are being held in custody pending trial, they are not yet a convicted felon, therefore it would not apply to them. That is why the government put these friendly amendments forward, which I support. It was to take care of a situation like that.



*Private Members' Business*

It want to be clear that getting rid of this extension, this preferential treatment, applies only to someone who is a convicted felon who goes to jail.

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Madam Speaker, I applaud my colleague for this very important bill. Could he please tell the House why he is so passionate about this bill?

**Mr. Richard Harris:** Madam Speaker, it is not hard to get passionate about fairness or passionate about correcting an unfairness, which is the case now.

As I pointed out earlier, this is about people who wilfully commit crimes, go to court, are convicted, are sent to jail and have preferential EI benefit treatment, as opposed to people who work very hard providing for their family, are law-abiding Canadians and for reasons of their own they want to take some time off to spend with their families or pursue other interests. They do not get the same treatment as someone who has been in jail. They would lose their benefits for that period. For someone who is in jail, it is like a period in time that never happened. That person is eligible immediately.

• (1750)

[Translation]

**Mr. Claude Patry (Jonquière—Alma, NDP):** Madam Speaker, today, I would like to express my indignation about Bill C-316. I strongly recommend that members of all parties vote against this absurd and completely useless bill.

Hon. members are aware that the public's cynicism about the political work that we are trying to do is growing every day, and this bill simply adds to it. According to the Conservatives' twisted logic, if inmates are entitled to a privilege to which pregnant women are not, then the government should take that privilege away from inmates rather acting in a logical manner and helping pregnant women get access to it. We need to keep in mind that the people in our ridings are not stupid and that they will harshly judge any politicians who cultivate this cynicism by voting in favour of Bill C-316.

I would like to take a moment to explain why Canadians who spend less than one year in prison are entitled to an extension of their qualifying period, which is defined as the period in which a worker qualifies to receive employment insurance benefits. This is the period preceding the loss of employment, during which a person must have worked a certain number of hours in order to qualify for benefits. That number varies depending on the regional rate of unemployment. The qualifying period is usually 52 weeks.

When a worker files a claim and has worked a sufficient number of hours during his qualifying period, the benefits to which he is entitled can be paid over a maximum period of 52 weeks. That does not mean that the person will receive 52 weeks of benefits; it means that he has 52 weeks after losing his employment to receive employment insurance benefits.

The Conservative member is simplifying the facts and distorting the truth. He is giving the impression that prisoners receive benefits while they are in prison, which is not the case. The people who benefit from this special measure are those who have worked enough to qualify for benefits and, as contributors to the EI program, deserve to get those benefits when they get out of prison. This applies only to

people serving a one-year prison sentence. Those serving more than a one-year sentence do not receive EI benefits.

Bill C-316 amends the Employment Insurance Act in order to repeal the provisions that allow for qualifying periods and benefit periods to be extended as the result of time spent by the claimant in a prison, detox centre or other similar institution. The Conservatives are trying to eliminate an exception that helps former inmates return to the workforce, regain some self-confidence and access paid job training. Unfortunately, the Conservatives have not proposed any solutions to help pregnant women who are being treated unfairly in this file.

The Conservatives and anyone who plans to support this useless bill should be ashamed of themselves. The question here is not about the equality of Canadians within the EI system or the supposed preferential treatment of prisoners in the EI system. Rather, it is a question of making the necessary changes to a law that is unfair and correcting a situation that is biased against women on maternity leave. I feel it is my duty to point out the Conservative government's incompetence in this area, even though it claims to stand up for family values.

The Conservatives are blinded by their obsession with law and order, and we absolutely must prevent them from casting a shadow on the future of thousands of people who could use a second chance.

Recently, the Conservatives have been trying to score political points on the backs of offenders by introducing bills that seem increasingly arbitrary, making no distinction between types of crime, leaving no room for rehabilitation and proposing nothing but imprisonment to prevent recidivism. In Canada, however, all the numbers show that our social reintegration model is working and that crime rates are dropping steadily in most provinces.

Despite what the hon. member for Cariboo—Prince George might say, helping inmates break the cycle of crime has always worked well in Canada and we are now reaping the benefits. It is thanks to these often exceptional measures—like the one we are debating today—that we have built this solid, yet imperfect, but well-meaning system that is a little like us.

Many former inmates have a great deal of difficulty finding work once they leave prison. Incarceration has a lasting negative impact on an individual's income, to say the least. Generally speaking, a person is sentenced to less than one year in prison because it is his first offence and he deserves a second chance. What is more, former inmates are more likely to be unemployed or hold low-paying jobs than before going to prison.

Extending the qualifying period and the benefit period for workers who spend less than one year in prison helps support the former inmate and his family when he is looking for employment after leaving prison.

However, a person incarcerated for more than one year cannot receive benefits until he has accumulated enough hours of insurable employment after leaving prison, while a person incarcerated for less than one year could qualify for employment insurance with the hours worked during the extended qualifying period.

• (1755)

Employment insurance also provides access to job training and officers who can assist in the job search. In many cases, the employment insurance program changes lives for the better.

It is also interesting to note that a person suspected of committing a crime can be detained pending the outcome of his trial. This means that an innocent person might be incarcerated while awaiting a verdict that would clear his name. Under Bill C-316, a person charged with a crime he did not commit who is imprisoned could not receive employment insurance benefits upon his release. Repealing the provisions that allow for qualifying periods and benefit periods to be extended does not just concern criminals; it concerns the innocent as well.

The solution to the inequalities in the employment insurance program is not to abolish an exceptional measure that helps inmates, but to make a clear change to the legislation as to the maximum number of weeks of regular and special benefits. The Employment Insurance Act has to allow new mothers and workers who lose their jobs to use sick leave benefits when they need them. It has to allow a mother on parental leave to have the same extended qualifying period and benefit period as an individual who has been incarcerated, and not the reverse.

Instead of eliminating this exceptional measure, why not extend it to others? I would like to add that in our 2011 election platform, the NDP made a commitment to guarantee that parents who take maternity leave or parental leave would not be penalized in terms of benefits once they return to work. The Minister of Human Resources and Skills Development recognized that there was a problem interpreting the Employment Insurance Act in the case of women on maternity leave and access to special illness benefits and regular benefits. She must now undertake to rectify a situation that is unfair to Canadian working women, rather than seeking out senseless solutions just to please the Conservative hard-liners on crime.

I am asking my fellow members to not pass this absurd and mean-spirited bill, which is not in keeping with the values of the Canadians who elected us. Why harm rather than help? Why penalize rather than support? Let us concentrate on the real priorities of Canadian families: employment, health care, quality of life and workers' rights. Logic dictates that we vote against Bill C-316.

I would like to close by speaking about something that I feel is very important. A person who is incarcerated for more than one year is not entitled to employment insurance. Eighty-eight percent of female inmates are incarcerated for committing economic crimes, most of which are motivated by poverty.

The NDP will be voting against Bill C-316.

[English]

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Madam Speaker, I look forward to joining this debate. I was a little late and did not hear the entire speech of the presenter. He made reference to

a couple of friendly amendments being proposed by the government. I have not had an opportunity to see those amendments, but I will see what kind of impact they would have on the legislation.

I come here with some skepticism. This bill would have an impact in very few instances. It would not have a far-reaching impact in the broader scheme of things. Certainly for the individuals on which it would have an impact, it would be a negative impact.

My friend is a long-time member of Parliament and is a very eloquent orator. During his speech he said that he did not think people would support prisoners receiving EI benefits. Members should know full well that prisoners currently do not receive EI benefits. That is not what this legislation is about. It is about eligibility. I want to ensure that we are debating exactly what is being put forward.

The jurisdictional split occurs at two years. If someone is going to prison for longer than two years, the sentence will be served in a federal institution, whereas a sentence of under two years will be served in a provincial institution. The current EI extension clause only benefits individuals who serve less than two years in jail. For those serving time in federal institutions, the legislation would not have an impact. The current EI extension clause for the most part only deals with individuals who are being released from non-federal prisons, those who are serving time in provincial institutions.

With respect to the suggestion that the two opposition parties are soft on crime, I think there is probably a little more in the messaging. That may be the skeptic in me thinking that way, but there is a bit more in the messaging in this piece of private member's legislation than what is fact.

According to the numbers for 2008-09, which are the numbers we had access to, there were 37,000 inmates in federal prisons. Of course, that number will go up considerably in the next number of years, even with the decrease in the crime rates in the country. There were 24,000 in the various provincial institutions across the country. Of those, 56% were on remand. They were not convicted criminals; they were on remand, waiting for trial or sentencing.

In many cases charges were dropped or persons were found to be innocent. We see variations of this. The vast majority were people waiting for trial. Of course, under the laws of this nation, those people would be considered innocent until proven guilty. This bill would disadvantage the people who are waiting for trial.

Three out of 10 cases were resolved by being stayed, withdrawn or dismissed. Another 3% of the cases resulted in acquittal of the accused, and 1% of the cases had other decisions. Thirty-three per cent of those cases would not result in a guilty verdict.



*Private Members' Business*

● (1800)

Some individuals charged with an offence can make bail, some cannot. Some are remanded because they cannot make bail. They may be innocent and waiting for an opportunity to prove their innocence, but because of their socio-economic situation, they are unable to post bail, so they find themselves incarcerated. This bill disadvantages those particular people.

In the omnibus justice bill that has been put through the House, the approach to justice issues is a step back for our nation. Although there has been a decrease in crime rates in this country, we are seeing a government propensity to grow the number of prison cells and to put people behind bars for longer periods of time.

We have seen that model unfold in Texas and in California. For the most part, California is bankrupt right now because of its approach to these justice issues. Some of the leading judicial minds in Texas are saying to Canada, "Do not do that; we have been there, done that and gotten the T-shirt, and we have the state debt to prove that it is not the way to go".

The rates of recidivism have certainly not gone down. We see that repeat offenders become professional criminals once they are put into institutions and behind bars. That is the experience south of the border. That is what we have learned from that approach to dealing with crime south of the border.

A lot of these people come from fractured homes and are dealing with mental health issues and addiction issues. If they are behind bars, it is in our best interest as law-abiding citizens to try to help them. We need to try to help through education and by allowing them to grow as persons in understanding where they went wrong.

When these people are released, the single best thing that could happen is for them to come out as better and more understanding people, with a willingness and a desire to be better citizens. If we throw them out of jail and put them on their own without any great hope for employment or an income, we are doing them a huge disadvantage.

I like the way the law works now. The way the law works now makes sense. Simply, if someone opens up an EI claim and is eligible for 48 weeks of employment insurance, and then two weeks into that claim, when there are 46 weeks left, the person goes to jail, that person does not receive benefits while in jail. It may be a single mom who is trying to care for her kids and who perhaps has a delinquent husband who does not provide for them, and she gets caught stealing. We can name the scenario.

When she comes out of that institution, she is going to be cast back into poverty, but if, after that six months in jail, she is able to pick up those next 46 weeks of employment insurance, then as a nation and as Canadians we have done her a great service. It is not like winning the 6/49. I know that EI benefits have been referred to as very generous, but they are not very generous.

The scope of this bill is not large, and the number of people it impacts is not a huge number. After these people come out of incarceration, we can give them a chance so that they do not return to a life of crime and their families do not have to live in poverty.

I think the way the laws stand now makes sense and works. I will look at the friendly amendments being put forward by the government, but right now I think the rules as they stand serve all Canadians well.

● (1805)

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Madam Speaker, I rise before the House today to support Bill C-316, An Act to amend the Employment Insurance Act (incarceration), presented by my colleague from the riding of Cariboo—Prince George. I want to commend this member for all his hard work on this bill.

I can also indicate that our caucus will be supporting Bill C-316 with two friendly amendments. The first amendment would narrow the scope of the bill to remove the extended qualifications and benefits period for those convicted of a crime. The second amendment would create a coming into force date on a Sunday to synchronize the bill with the typical administration of employment insurance benefits. As previously mentioned by the member for Cariboo—Prince George, he supports these amendments.

I am pleased to support Bill C-316 because the bill addresses something that is fundamentally unfair, namely that convicted criminals currently have preferential access to employment insurance benefits over law-abiding citizens.

To properly understand the inequity addressed by Bill C-316, we need to look at the context. Under the Employment Insurance Act, prisoners cannot collect EI benefits while incarcerated. Therefore, this bill only addresses employment insurance benefits granted after an individual leaves prison.

The purpose of the employment insurance program is to provide temporary income to replace lost employment income while claimants are looking for work.

[Translation]

The system also provides assistance to workers who are sick, pregnant women, parents taking care of a newborn or adopted child, and family members taking care of loved ones who are seriously ill.

● (1810)

[English]

This second group of benefits can largely be summed up as being unavailable for work because of circumstances beyond the individual's control.

When an individual applies for benefits, there are two key time periods: the qualifying period and the benefits period. The qualifying period is a period in which an individual must have worked a minimum number of hours in order to qualify for a benefit under the program. The benefit period is the period of time during which claimants may collect the benefits for which they have qualified. No benefits can be received after the end of the benefits period. Simply put, the benefits period can be thought of as a cut-off date; all benefits must be taken before this date or else be lost.

In most cases, both the qualifying and benefit periods are set at 52 weeks. There are, however, exceptions to the 52-week limit. These allow for the extension of the qualifying period and the benefits period for up to 104 weeks if an individual is on sickness leave or workers compensation. Currently there are also extensions to both periods for the time an individual spends in prison or jail or a similar institution.

The member for Cariboo—Prince George has already gone into some depth about those exemptions and has demonstrated how these benefits predominantly are related to situations out of the control of the individual. This bill deals only with the extensions of the qualifying period and the benefits period for individuals in a prison, jail or similar institution.

Currently the existing extensions ensure that convicted criminals who serve less than 52 weeks in jail merely have their full 52-week qualifying and benefits period interrupted, with no repercussions because of their jail sentence. This potentially allows them twice the period of time available to a law-abiding citizen to collect benefits or to count hours of work to qualify for benefits.

[Translation]

The provisions of the law that set out such measures have been in place for some time, but they are creating a rift. They favour some people, at the expense of the majority.

[English]

Convicted felons should not receive preferential access over law-abiding citizens and as a result increase the cost of the program to hard-working Canadians. To be clear, we are all in agreement on the extensions individuals should be granted for life circumstances beyond their control, such as illness or injury. However, this is not the case with crime. To be convicted of a crime, an individual made a choice to commit that criminal act. This choice is within the control of the individual.

[Translation]

Why should inmates have privileges that the rest of the population cannot have? To us and to all hard-working, law-abiding Canadians, this does not make sense.

[English]

As a government, we understand the importance of providing former inmates with every opportunity to reintegrate into society. Correctional Service Canada already offers a number of programs to inmates during their incarcerations that are aimed at helping them reintegrate into society by providing them with employment training and helping them to acquire the skills they need to improve their employability. Correctional Service Canada also offers employment services that help prisoners find a job once they are released. Finally, Correctional Service Canada works in partnership with community colleges and industrial organizations to offer a large array of certification programs and works with recognized employers and industry associations.

[Translation]

These measures do not reward crime. They help people get back on the right track.

### *Private Members' Business*

[English]

Canadians have a right to expect that their government is just and fair when defining and adopting laws that govern our lives. It is a fundamental principle of democracy. This bill would ensure that convicted criminals have to play by the same rules as law-abiding citizens. If their EI benefits lapse because they are in jail, that is not the responsibility of Canadian taxpayers to fix; it is the responsibility of the guilty party for making the choice to commit a criminal offence.

[Translation]

It is a matter of justice and fairness.

[English]

**The Deputy Speaker:** Resuming debate.

Seeing no one rise, the hon. member for Cariboo—Prince George for his right of reply.

**Mr. Richard Harris (Cariboo—Prince George, CPC):** Madam Speaker, as I mentioned earlier, this bill is about fairness. It is about removing a preferential benefit that is supplied under the EI act now to people who spend a year or less in prison. It allows people who have been released from prison to have an extended benefit that is not offered to law-abiding citizens who, through no fault of their own, lose their jobs or make a choice to take time off work.

There was some concern by my hon. colleague across the way about people being released from incarceration losing the money that EI would provide under this preferential treatment. In fact, as my colleague pointed out, a myriad of benefits are offered through the federal corrections system, halfway houses and organizations that help previously incarcerated people get jobs and get back into society.

Those things are available, but this bill is not about them. It is about removing a preferential EI benefit provision that applies to people who have committed crimes and are incarcerated for a year or less. That does not apply to average, hard-working Canadians who take time off their jobs to pursue other interests. They lose that benefit period, but people who go to jail do not. That is unfair, and we want it removed from the act.

I ask my colleagues across the way to gain a real understanding of this bill and the unfairness of that EI provision.

• (1815)

**The Deputy Speaker:** Is the House ready for the question?

**Some hon. members:** Question.

**The Deputy Speaker:** The question is on the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Deputy Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Deputy Speaker:** All those opposed will please say nay.



*Adjournment Proceedings*

**Some hon. members:** Nay.

**The Deputy Speaker:** In my opinion the nays have it.

*And five or more members having risen:*

**The Deputy Speaker:** Pursuant to Standing Order 93, the division stands deferred until Wednesday, November 30, 2011, immediately before the time provided for private members' business.

**Mr. David Sweet:** Madam Speaker, I think if you were to seek it you would find unanimous consent to see the clock at 6:30 p.m.

**The Deputy Speaker:** Is that agreed?

**Some hon. members:** Agreed.

## ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[Translation]

### HEALTH

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Madam Speaker, Canada missed an important opportunity to make a positive contribution on the international stage during the World Conference on Social Determinants of Health, which took place in Brazil from October 19 to 21. In fact, the Minister of Health did not believe it was necessary to participate in this event, where 118 countries came together to establish an action plan.

Nevertheless, in Canada, 20% of health care expenditures are attributable to social issues that affect health, such as homelessness and unemployment. When I asked the minister to explain why she did not attend this important meeting, she was unable to provide an answer. Finally, she responded that she was attending other international meetings.

Clearly, the minister was completely unaware of this conference on the social determinants of health or it was not one of the priorities of the Conservative government, which has demonstrated a complete lack of leadership on this issue. I will explain why this conference should have been a priority for Canada. First, according to the World Health Organization:

The social determinants of health are the conditions in which people are born, grow, live, work and age, including the health system.

These circumstances are shaped by the distribution of money, power and resources at global, national and local levels, which are themselves influenced by policy choices.

The social determinants of health are mostly responsible for health inequities—the unfair and avoidable differences in health status seen between industrialized and the least fortunate countries and even within industrialized countries. Canada, which is part of the G8, should thus have been concerned about this issue and participated in this meeting.

From what I know, even here in Canada, people are still suffering as a result of poverty, social exclusion, stress, unemployment, homelessness and malnourishment, just to name a few of the most

important social determinants of health. Here are a few concrete examples of the direct impact these social determinants can have on health.

According to a 2003 WHO study by Wilkinson and Marmot, those living on the streets suffer the highest rates of premature death. Homelessness is still a relevant issue these days, as was highlighted during the 22nd edition of the *Nuit des sans-abri* on October 21, 2011, in Quebec. Do my colleagues know that it costs the Quebec health care system about \$24,000 to take care of a homeless person, whereas if community services received adequate funding to fight homelessness, it would cost the federal government half as much? I think that some strategic choices need to be made.

In 2004, the Canadian Institute of Child Health stated that the lower the household income, the higher the incidence of emotional and behavioural problems in childhood. As a teacher who worked in a disadvantaged area, I can confirm that children who grow up in an unsafe environment with low levels of stimulation are unfortunately more affected by learning difficulties and behavioural problems. There are plenty of studies to corroborate that.

More recently, a number of health care experts testified before the Standing Committee on Health, and they all agreed that seniors who are isolated are more likely to develop mental health problems. They also said that low-income seniors are not able to buy fruits and vegetables, which are a nutrition staple, and that this often leads to problems. Those are just a few examples.

Every day, 21,000 children in the world die before their 5th birthday. All of these alarming facts and figures are from the WHO.

If health is one of this government's priorities, why was it missing in action in Brazil?

• (1820)

[English]

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Madam Speaker, I disagree with the premise of the member's statements here in the House but I do appreciate the opportunity to respond to her question this evening.

Canada actually played an important leadership role at the World Conference on Social Determinants of Health.

[Translation]

The delegation was led by Dr. David Butler-Jones, Canada's Chief Public Health Officer.

[English]

The conference provided an important opportunity to work with Canadian and international partners to identify actions that can be taken on these challenges. Over 1,000 attendees representing more than 125 world health organization member states participated in the Rio conference. It brought together Canadian and international partners to develop strategies for reducing health inequalities internationally, share experiences, knowledge and build on existing initiatives.

The major conference outcome was the Rio political declaration on social determinants of health, which was supported by all member states, including Canada. Why is this declaration important? It signalled that countries supporting the declaration were on the same page, understanding the need to look at whole of government collective solutions.

● (1825)

[Translation]

The Government of Canada looks forward to continuing to work with these organizations in the wake of the Rio conference. In Canada, relevant measures have already been implemented, as evidenced by the recent announcement of investments in 11 new research programs to improve health fairness.

[English]

We have also created the Canadian reference group on social determinants of health, a unique group of NGO and academic leaders in the field of environment, labour, social development and business, to help build momentum for efforts at the local level. Global action is making a difference.

I will take a moment to highlight an important meeting the minister attended in September in New York. She attended a conference on non-communicable diseases. The minister signed the UN Declaration on Preventing and Controlling Chronic Diseases. This important declaration addresses the growing threat of chronic diseases around the world. Countries agreed that they must take effective action to reduce their risk factors.

That is why our government has taken action on many things. For example, on reducing tobacco use and promoting healthy living. We also made significant investments in all of Canada's disease specific strategies. These include the Canadian partnership against cancer, the Canadian diabetes strategy, the aboriginal diabetes initiative, the national lung health program and the Canadian heart health strategy and action plan.

Our government's participation at these international conferences are important. They not only help to improve the health of people in Canada, they also help to improve the health of people around the world. Canada will continue to be a leader in the world at these conferences.

[Translation]

**Ms. Anne Minh-Thu Quach:** Madam Speaker, she was in New York, but the Minister of Health was here during the Rio conference. She did not seem to know anything about the conference, because she was unable to answer the question and she shifted her response to another subject. If taking action on the social determinants of health that create health inequalities were truly the government's priority, the minister would not have been here and the parliamentary secretary could have answered the question.

It is fine to say that this is important, but action must be taken. They must walk the talk. Consequently, if 20% of the health envelope is slated for social determinants, we must examine what has been done about homelessness and what is being done in the area of social housing.

## Adjournment Proceedings

[English]

**Mr. Colin Carrie:** Madam Speaker, our government has been working very hard on the social determinants of health. The problem is that every time we bring things forward to improve the situation, the NDP constantly votes against them.

[Translation]

The World Conference on Social Determinants of Health in Rio was an important opportunity for member states of the World Health Organization.

[English]

It was also important for non-governmental organizations, stakeholders, academics and other UN agencies. The conference involved a discussion on strategies and action for reducing health inequities at the national and international level. It also provided a unique venue to work with Canadian and international partners to identify actions that can be taken to address the underlying environmental, social and economic conditions that affect the health and well-being of Canadians.

Dr. David Butler-Jones, Canada's Chief Public Health Officer, had the opportunity to highlight the significant steps Canada has taken in addressing social determinants.

Our government's commitment to this issue is underscored by the Minister of Health's recent announcement. Canada recognizes the complex causes of health inequalities among indigenous populations.

[Translation]

Canada also underscored that it will continue to work with partners to develop, test and document—

● (1830)

**The Deputy Speaker:** Order. The hon. member for Halifax.

[English]

## THE ENVIRONMENT

**Ms. Megan Leslie (Halifax, NDP):** Madam Speaker, the hole in the ozone over the Arctic has grown to record size. As we have heard in the House, it is now twice the size of Ontario. Reports are that it could take about four decades to repair. This hole poses major long-term health and environmental concerns related to ultraviolet rays and it represents a massive environmental, social and financial debt that will be paid forward to our children and grandchildren.

That is why it was so concerning when this summer the government announced cuts that would affect Canada's ozone programs. These programs are world-renowned. They are made-in-Canada solutions. People from around the globe rely on the information that these programs gather.



*Adjournment Proceedings*

On September 23, in the House, I asked the minister about cuts to the ozone monitoring program. I specifically asked about the reports that he was getting rid of one of two measurement systems that are used to monitor two very different aspects of the ozone. On that day and in subsequent rounds of questions he responded repeatedly in the House and in the media that the cuts were to address duplications within the program. He also refused to provide any analysis for how the cuts could be carried out without actually affecting the scientific data being produced by the programs.

Incidentally, he has also refused to this date to provide Canadians with an analysis about how the government will continue to ensure a healthy biologically diverse environment and how we will pass it on to future generations despite massive cuts to Environment Canada and the Environmental Assessment Agency.

However, lo and behold, last week it was revealed that one of the minister's senior officials wrote a report to the minister in September about the ozone monitoring program that contradicted everything the minister had been saying in the House and that she herself had said to the media only a week after writing the report.

The minister responded to the questions about these contradictions in the House by saying that the document was actually being misquoted.

That document, dated September 16, discovered through access to information requests, states specifically:

These methods measure different characteristics of the atmosphere and thus complement, but do not duplicate each other.

That is actually in this access to information request. The wording is very clear: there is no duplication within the ozone monitoring program, and yet the minister's response was to attack opposition MPs and the journalist who broke the story.

As usual, he chose to suppress the science of the matter with spin, something we are used to seeing here. However, he has continued to do so more on this issue than on any other issue it seems that he has been questioned about, including his government's climate change plan, which, according to all the data analysis, is actually failing spectacularly.

As with many of the decisions that are being made by the minister, the core of this issue is scientific capacity, because these cuts are part of a systematic attempt by the government to reduce the ability of the federal department and agencies to monitor and respond to environmental hazards. We need good science for good environmental assessments, for project planning and research and innovation. Both industry and environmentalists agree that enhanced scientific capacity is essential at the federal level.

I would ask the parliamentary secretary if the minister will come clean about the cuts to this program and actually reinstate the funding to Environment Canada to save these programs.

**Ms. Michelle Rempel (Parliamentary Secretary to the Minister of the Environment, CPC):** Madam Speaker, like my colleague opposite, I am very proud of the track record that Canada has with regard to excellence in monitoring the ozone. That is why we have repeatedly said in the House that our government, through Environment Canada, will continue to monitor the ozone.

What I am getting tired of hearing is that there has to be a trade-off between efficiency in program delivery and service delivery. That is what we hear over and over again.

With regard to the question, I will answer the same way that I have answered several times in the House. Taxpayers expect government officials to conduct the nation's business at a reasonable cost. They also expect service delivery. We know we can achieve both. This is something our government takes very seriously.

**Ms. Megan Leslie:** Madam Speaker, that answer was very short. There is not much to say when it comes to defending what is happening with these programs.

What about efficiency and program delivery? How about the fact that we have a program that is run by one scientist and that scientist received a notice saying that he may lose his job? How about the fact that we have another program that monitors something completely different, a completely different set of data that is relied on by the international community, and is run by one scientist who also received a notice saying that his job may be on the line?

The minister does not understand what these programs do. He does not understand that they do different things. He does not understand that they are all very much needed. This is not about efficiency in program delivery. This is about shutting down science.

When is the minister going to own up to the fact that that is what he is trying to do here?

• (1835)

**Ms. Michelle Rempel:** Madam Speaker, Environment Canada takes monitoring of the ozone quite seriously. That is why we have such a strong track record in doing so over the last decades. We have said over and over again in the House that we will continue to monitor the ozone, and that we will continue to deliver excellent services. Environment Canada and our government are committed to that.

## FISHERIES AND OCEANS

**Hon. Lawrence MacAulay (Cardigan, Lib.):** Madam Speaker, I am pleased to stand in my place this evening and say a few words on behalf of the people I represent. I represent the riding of Cardigan in eastern Prince Edward Island. It contains a lot of farmers, fishermen, small business and tourism. Fisheries is a major issue in my area.

I recall my first term as a member of Parliament and touring through the federal riding of Cardigan and viewing the wharves. I remember in particular going to Savage Harbour and looking at the breakwater that is called the black wall. At that time it would have taken less than \$200,000 to repair the wall, but I could not convince the government that it should be done. When the Liberals finally became government, it cost over \$2 million to repair that wall. Wharf repair is like taking care of one's home, buildings, vehicle, or anything else. It is an ongoing issue.

*Adjournment Proceedings*

I also remember going down to Graham's Pond and looking at the facing of the wharf that was being torn off. I tried to convince the government at that time that it needed to be repaired. Everybody in the fishing industry knows what happens when the face goes off. The ice gets in behind and pushes the wharf to pieces. In fact, the plant there was about to go into the water.

Then I looked at North Lake and Naufrage, and all the dredging that needed to be done there. The propellers on boats would be harmed on the way in because there was not enough dollars.

We put the harbour authorities in place after we were elected to government. That was a concern of mine when it happened. The fishermen decided that it was part of their responsibility, but it was understood that the Government of Canada would supply the proper funding. The harbour authority would provide a small amount of funding, but it would work with the federal government in order to ensure that the wharves were kept in proper order.

On October 17 I received an internal memo that indicated that ocean management projects, science services, aquaculture, and other important programs were being slashed by DFO.

At one time back then there was just about \$100 million in small craft harbour funding available to repair wharves. Today, \$57 million is available to repair small craft harbours. I hope that my good friend the Parliamentary Secretary to the Minister of Fisheries and Oceans will go back to the government and indicate what a serious issue this is. He knows very well that we are looking at close containment and the open net concept for raising salmon. We need the scientific dollars. We need to know what is going on with close containment and what is going on in the open net concept. I hope that the parliamentary secretary can indicate what specific areas are going to be cut.

The government is going to change the fishing licence service to an automated service. A lot of things happen in the fishery. If somebody cannot take out a boat and has to shift, then how is that person going to arrange those things? How is the government going to avoid hurting people who do not have the Internet? I hope the parliamentary secretary will be able to respond.

● (1840)

**Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans and for the Asia-Pacific Gateway, CPC):** Madam Speaker, as always, I welcome the opportunity to respond to some of the comments made by my friend from Cardigan. It allows me to outline some of the measures being taken by Fisheries and Oceans Canada to help our fisheries and maritime sectors grow and ensure that our aquatic ecosystems are protected for future generations.

Have we made changes in the way we do business? Of course we have. Modernization is essential to a stable, prosperous and sustainable fishery.

Over the summer and fall, the Minister of Fisheries and Oceans travelled from coast to coast to coast meeting with key players from the fishing industry to discuss how the department could support the growth and sustainability of the industry. He spoke to stakeholders, whose interests lie in aquaculture and wild fisheries, and heard their views on licensing, sustainability, conservation, export markets and

all the other important issues that were especially important to these fishermen.

These consultations helped shape the plan changes in how the department operates, changes that will come into effect over the next three years to ensure we continue to protect our ecosystems and build a more competitive fishing industry.

Some of the things we can expect to see include accelerated progress toward a more modern economically and ecologically sustainable Canadian fishing industry, modernization of fisheries management programs, increased use of modern navigational services and a department that appropriately focuses on core mandate responsibilities.

My colleague has raised a number of specific issues. I could respond to all of them, but I think it would be important to refer to the actual memo to which he refers. It is a memo that came out of the deputy minister's office, signed by her, the associate deputy and the commissioner of the Coast Guard, to employees of the Department of Fisheries and Oceans. It begins by saying:

As you will know, Fisheries and Oceans Canada is pursuing a dynamic change agenda that will transform many of the ways in which we and our stakeholders do business. Over the past year, we have taken advantage of opportunities to advance modernization of our organizational model as well as many of our programs, services and business practices. Today, we are providing you with further information on initiatives that our department will be undertaking to pursue our modernization goals and, in turn, help to support the Government of Canada's priorities.

He referred to one of them in his comment in his question to the minister back in October. He said, "we are slashing", I think that was the word he used our large ocean management area program and science and other things. Here is what she had to say about that. As she cites some examples of the modernization that is taking place, she said:

Realigning our oceans management responsibilities by winding down Large Ocean Management Areas pilot projects, now that we are in a position to begin applying integrated oceans management approaches as part of our regular operations.

She was not saying anything about the end of large ocean management areas as part of our program, but just these pilot projects, now that they will become part of our regular operations. She said:

Focusing aquaculture science activities on issues relevant to the Department's regulatory duties in relation to fish health and environmental interactions in order to strengthen our capacities in these areas.

Finding efficiencies and simplifying how science is managed, for example, by aligning our science resources to reflect the transition to an ecosystems approach to science....

I hope my colleague agrees with these approaches that are important.

This approach means a greater emphasis on science working in teams to address complex, interrelated issues affecting fish, fish habitat and the integrity of aquatic environments.

In fact, the modernization ship is sailing and I encourage my colleague from Cardigan to get on board.

**Hon. Lawrence MacAulay:** Madam Speaker, I appreciate it, but I am disappointed with what my hon. friend had to say.



*Adjournment Proceedings*

I am pleased the minister travelled to talk to fishermen. I know they are realigning. I wonder if the minister happened to mention, when he was travelling and talking to fishermen, that he would cut the budget for small craft harbours from close to \$100 million to \$57 million. I would be very surprised with the people whom I represent. I live among fishermen who understand what needs to be done, what it takes to keep harbours in shape.

I hope my hon. colleague, the Parliamentary Secretary to the Minister of Fisheries and Oceans, will go back and tell the minister and the government that it is just unacceptable if they cut the budget from \$100 million. In fact, they are cutting the budget in half.

In his final comments I would like if he would indicate if that \$57 million is the wharf in Pangnirtung at Nunavut. We support that wharf, but is that money coming out of the budget now, or is it new money, as we were told by the government a couple of years ago?

• (1845)

**Mr. Randy Kamp:** Madam Speaker, I would be more sympathetic to my colleague and his concerns if he had not been

part of the government that throughout the 1990s and even as late as 2005 made much greater arbitrary cuts than we will ever see on this side the House.

With respect to small craft harbours, he knows that the budget has not been changed for that. He should know that in 2008 we put \$45 million into the divestiture program. Then through the economic action plan, we put \$200 million into projects across the country to allow us to catch up from the condition that we found the harbours in when we inherited them from the Liberal government. That \$200 million is a lot of money even by Liberal standards.

[Translation]

**The Deputy Speaker:** The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:47 p.m.)







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Tuesday, November 29, 2011

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# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Wednesday, November 30, 2011**

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**Speaker: The Honourable Andrew Scheer**



## CONTENTS

(Table of Contents appears at back of this issue.)

# HOUSE OF COMMONS

Wednesday, November 30, 2011

The House met at 2 p.m.

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## Prayers

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• (1405)

[English]

**The Speaker:** It being Wednesday, we will now have the singing of the national anthem led by the hon. member for Rivière-du-Nord.

[Members sang the national anthem]

---

## STATEMENTS BY MEMBERS

[English]

### YOUCAN YOUTH SERVICE

**Hon. Laurie Hawn (Edmonton Centre, CPC):** Mr. Speaker, recently I had the pleasure of announcing funding for and visiting an organization in Edmonton called YOUCAN Youth Service.

YOUCAN Youth Service helps young people with barriers to employment and education overcome those barriers and achieve their full potential. I met dedicated staff and volunteers who spend countless hours unselfishly working to give young people facing challenges an opportunity to discover who they can be. I met young people at various stages of turning their lives around. They realized that they do matter and that they do have people who care about their futures.

I participated in a discussion circle, where everyone has a chance to speak openly and honestly. A rock is passed around the circle and the holder of the rock has the floor while everyone listens attentively. What a quaint notion. As the keeper of the parliamentary rock, Mr. Speaker, perhaps it is an idea that you might consider for adoption in this place.

I want to thank and pay tribute to organizations like YOUCAN Youth Service and people like Kyle who make a tremendous difference in the lives of young Canadians. I also want to recognize young Canadians, like Candy, who seize the opportunity and turn their lives around.

I would encourage all of us to be the rock for a young person who needs our help.

## EMPLOYMENT

**Ms. Irene Mathyssen (London—Fanshawe, NDP):** Mr. Speaker, London is my community. Despite suggestions from a member opposite to the contrary, I am proud of my city and I am especially proud of the people of London for their show of resiliency, determination and optimism when faced with some very difficult challenges. However, pride in one's city does not mean that we can ignore reality.

My city has been hit hard by the economic downturn. Jobs have been lost. In southwestern Ontario, 10,000 jobs have been lost in the last five years, most in the manufacturing sector. Families are hurting and we cannot sugar-coat the issues faced by so many in my riding. London has an unemployment rate of 9.1%. There is a proposal to open a satellite welfare office in the east end. We need a federal government focused on job creation, not tax cuts; jobs in energy conservation, transit, alternative energy and green manufacturing. The people of London matter and deserve no less.

\* \* \*

## LIFETIME BUSINESS ACHIEVEMENT AWARD

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Mr. Speaker, I rise today to recognize well-known Pembroke businessman and community supporter, Gerry Binhammer. Mr. Binhammer has been named 2011 Upper Ottawa Valley Chamber of Commerce Lifetime Business Achievement Award winner. While Gerry is well known in the Pembroke business community as the successful owner-operator of the Malcolm, Deavitt and Binhammer Funeral Home, it is his community work for which Gerry is an honoured member in my area and how I am most aware of his stellar performance.

Active in his community as a member of Kiwanis International, the Masonic Lodge and Ottawa Valley Tunis Shrine Club, Gerry is a firm believer in helping youth. In addition to his work with service clubs, he has made major financial gifts to Algonquin College, Pembroke Regional Hospital and Miramichi Lodge. Through his generosity, nine students each year from local high schools are eligible for \$1,000 bursaries for academic achievement to assist with their post-secondary education. It is people like Gerry Binhammer who give the Upper Ottawa Valley its reputation as a kind, caring, wonderful place to live.

I congratulate Gerry on his outstanding achievement.



*Statements by Members***PROSTATE CANCER**

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, today marks the last day of movember and as our moustaches have grown, so has the popularity of this great campaign. Here in the House the three teams, the “New DeMOcrats”, the “Strong, Stable Conservative MOjority” and we “Li-Bros”, have together raised over \$50,000. All together, 245,000 Canadians grew moustaches and made Canada by far the number one country in the world, with over \$32 million raised. Movember is a good way to bring attention to men's health issues, but more needs to be done.

As Dr. Larry Goldenberg said, “A man is more than just a penis and a prostate”. Dr. Goldenberg said that men's health needs to be about more, too. Men have shorter life expectancies, almost five years less. Heart disease, suicide, liver disease and diabetes are all more prevalent among men. Dr. Goldenberg has taken the first steps in proposing a Canadian institute of male health. We need a national body separate from government that would be entirely focused on men's health that could co-ordinate research activities, education campaigns and other initiatives.

Just as Canada leads in movember, so too can we all lead here in Canada with the Canadian institute of male health.

\* \* \*

**ISRAEL**

**Mr. Mark Adler (York Centre, CPC):** Mr. Speaker, I was outraged yesterday when I heard that Katyusha rockets were once again fired from southern Lebanon into northern Israel. The Lebanese government must uphold its responsibilities to prevent threats to innocent lives and the resulting terror that this rocket fire indiscriminately puts upon all residents.

Despite the presence of UNIFIL, this is the eighth rocket attack on Israel since the 2006 ceasefire agreement. I call on the Lebanese government to maintain control and order in its country and to ensure the safety of its neighbours and internationally protected persons on both sides of the border.

\* \* \*

*[Translation]***“BÉCIK JAUNE” BICYCLE PROJECT**

**Ms. Francine Raynault (Joliette, NDP):** Mr. Speaker, I would like to talk about a wonderful initiative undertaken by the youth centre in Notre-Dame-des-Prairies, in my riding of Joliette.

Three years ago, leaders at this organization launched the “Bécik jaune” project. This project makes a fleet of community bicycles available free of charge to people in the greater Joliette area.

This innovative project is very worthwhile. It gives people access to a safe means of transportation, combats social isolation and increases physical activity. Furthermore, this project gives potential school dropouts a chance to build self-esteem by maintaining the bikes. It also helps protect the environment by providing an alternative to driving and by reducing greenhouse gases as well as the amount of waste produced.

This project tackles some current societal challenges and deserves all the support we can give it.

● (1410)

*[English]***ESSAR STEEL ALGOMA**

**Mr. Bryan Hayes (Sault Ste. Marie, CPC):** Mr. Speaker, I rise in the House today to express my gratitude for the generosity of Essar Steel Algoma.

Yesterday, Essar created a community investment fund of \$5 million to help support community development in Sault Ste. Marie. This is a great example of how our government's low-tax policy is helping corporations to invest in their local communities. I am proud to be part of a government that encourages job creation and economic growth, instead of penalizing productivity through high corporate taxes.

Hard work in the private sector is the backbone of this country. The CEO of Essar put it best when he said:

Our community's ability to attract and retain qualified professionals and highly skilled personnel is dependent upon the city's economic vitality and social fabric.

Essar put its money where its mouth is and invested in the community of Sault Ste. Marie. We thank Essar Steel Algoma for leading the way in job creation, corporate responsibility and unbridled generosity. Sault Ste. Marie is grateful for its presence and activity in our community.

\* \* \*

**PROSTATE CANCER**

**Mr. James Bezan (Selkirk—Interlake, CPC):** Mr. Speaker, this is movember, and men across the country gave their upper lips for the worthy cause of growing a moustache in support of prostate cancer awareness and men's health. Many stylish and full mos were grown, and some not so much, but it was all done in good fun and for a worthy cause.

Last year over 100,000 men from Canada alone participated in movember and raised over \$22 million. This year we have already surpassed \$32 million. Worldwide, since its inception, movember has raised over \$200 million to fund awareness and research and to assist those living with prostate cancer.

I am proud to say that this year I was able to participate in the noble efforts of the movember campaign. I, along with colleagues on both sides of the House, and Canadian men nationwide, made a valiant effort to raise awareness for prostate cancer.

Over 25,000 men will be diagnosed with prostate cancer. One in seven will develop the disease in their lifetime. I want to remind men to get their prostates checked, and I ask all women to encourage the men in their lives to visit their doctors.

### SANTA FUND TELETHON

**Mr. Claude Gravelle (Nickel Belt, NDP):** Mr. Speaker, I rise today to shout a loud Christmas cheer for the Sturgeon Falls volunteer firefighters and their successful Santa Fund Telethon last weekend.

Over \$37,000 was raised during the West Nipissing telethon. This is an amazing figure, a community of 14,000 raising \$37,000 in seven hours.

[Translation]

I would like to congratulate chief Richard Savage and his team of firefighters, as well as the group of over 200 exceptional volunteers, for their participation in the telethon.

[English]

Hats off, as well, to all the individuals, businesses and charities that donated and made the telethon and toy drive such a success. It is the best result in over 15 years. This means that over 400 families in need will enjoy Christmas.

[Translation]

Merry Christmas to the families, the children, the firefighters and to you, the excellent community of West Nipissing. You make us proud.

\* \* \*

[English]

### EMERGENCY PREPAREDNESS

**Mr. Jim Hillyer (Lethbridge, CPC):** Mr. Speaker, on Sunday, 14 fire departments rallied together to contain 2 raging wild fires near Lethbridge that were fuelled by hurricane-force winds.

The firefighters were assisted by the police, disaster services, several Hutterite colonies and other community volunteers.

Providence must also be acknowledged. The fires raged for over 12 hours, spread as wide as 9 kilometres, over 40 kilometres long. One fire came to the edge of the city, but not a single home or building was burned.

As I toured the south fire with local authorities, we saw that it was nothing short of miraculous the number of times the fire suddenly shifted direction before it would have consumed a home or a building, a group of animals or a community.

Finally, many local emergency preparedness plans were executed, and others were ready to be put into action. In addition to praising first responders, I call on individuals, families, communities and their leaders across the country to put an emergency preparedness plan in place.

\* \* \*

[Translation]

### CATHERINE LAMONTAGNE

**Mr. Pierre Jacob (Brome—Missisquoi, NDP):** Mr. Speaker, today, I would like to congratulate a Quebecker in my riding who is one of the 2011 recipients of the *Activité nationale de reconnaissance de la participation citoyenne* award, a citizenship award given out by the Government of Quebec. Catherine Lamontagne from the

### Statements by Members

Forum Jeunesse Montérégie Est was given the award for her dynamic devotion to the community of Bromont. She is the chair of the Bromont family advisory committee and she helped to set up its Carrefour familial or family centre, which provides drop-in daycare services and networking activities for young families in the area. Through Ms. Lamontagne's leadership, Bromont's Carrefour familial received the 2011 municipal and family action award in recognition of the various services it provides.

Congratulations to this young Quebecker who is helping families in her community.

\* \* \*

● (1415)

[English]

### VIOLENCE AGAINST WOMEN

**Mr. Peter Braid (Kitchener—Waterloo, CPC):** Mr. Speaker, Canada is actively participating in the worldwide 16 Days of Activism Against Gender Violence Campaign.

Violence against women affects us all. It destroys families and weakens the fabric of our society. It takes a heavy toll on our communities and on our economy.

Since 2007, Status of Women Canada has approved more than \$39 million in funding for projects designed specifically to help end violence against women and girls. These projects involve countless hours of dedicated work on the ground in communities. In many cases they are helping prevent violence and abuse and in others they are helping women deal or cope with its consequences.

Status of Women Canada's support for community-based projects has nearly doubled since 2007, to almost \$19 million a year, its highest level ever.

\* \* \*

### PERSONS WITH DISABILITIES

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, one-quarter of the global population is directly affected by disability. Ensuring that the world we live in is disability inclusive and free from barriers which prevent full participation in all aspects of our society is not only an issue of basic human rights, but also one of citizenship.

To mark the upcoming International Day of Persons with Disabilities, the Liberal Party of Canada is proud to announce changes that make the Liberal Party's websites more accessible to individuals with physical disabilities. These changes have been made in full partnership with eSSential Accessibility Inc., a Canadian company committed to making online environments instantly accessible to people with physical disabilities.

[Translation]

When we eliminate barriers to information, people are able to participate more fully in social, civic and economic life, and reach their full potential. Our party will continue working with people with physical disabilities to improve their ability to communicate in an inclusive, accessible manner.



*Oral Questions**[English]*

I call on the federal government to join other jurisdictions in finding innovative ways of increasing national accessibility to digital information for disabled persons.

\* \* \*

*[Translation]***INFRASTRUCTURE**

**Mr. Bernard Trottier (Etobicoke—Lakeshore, CPC):** Mr. Speaker, our Conservative government is firmly committed to improving infrastructure in Canada, because we know how important it is to our economic growth and prosperity. No government in history has invested as much as we have with our \$33 billion building Canada plan and the economic action plan.

Today the Minister of Transport, Infrastructure and Communities made an important announcement about how we plan to support infrastructure across Canada in the future.

*[English]*

I am very proud that our government is partnering with the provinces and territories, and the Federation of Canadian Municipalities to develop a new long-term infrastructure plan that will replace the building Canada plan after 2014.

The economy remains our government's number one priority. Building world-class infrastructure in Canada is good for job creation and it enhances our competitiveness. Together with our supportive partners, we will continue to build on our enormously successful building Canada plan.

I call on the opposition parties to finally get on the right side of this issue and support this important plan that is supported by our partners right across this great country.

\* \* \*

*[Translation]***JUSTICE**

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, more and more people oppose the Conservatives' unbalanced incarceration agenda. The provinces have indicated that they do not have the means to pay for it. Police chiefs say that the Conservatives' approach is unbalanced. Families want more police officers on the street, not bigger prisons. And we now know that even the Minister of Public Safety thinks this bill is seriously flawed. He has even proposed amendments to the Conservatives' bill.

*[English]*

However, his own incompetence got in the way. It turns out that he cannot invoke closure, shut down debate and then put forward amendments.

The Conservatives now have a choice to make. They can stand with the chiefs of police, with provinces, with families, with their own Minister of Public Safety and vote against this failed prisons agenda.

If the public safety minister has any shred of integrity whatsoever, he will stand with others who know the bill is flawed and vote against it.

\* \* \*

● (1420)

**TAXATION**

**Mr. Andrew Saxton (North Vancouver, CPC):** Mr. Speaker, this week I had the opportunity to read a new job-killing scheme from a backroom NDP strategist.

It is clear that the NDP actually believes that money is spent on tax cuts. The NDP actually believes that income does not belong to Canadians, that it is just the money government has been kind enough not to tax.

Our government has cut taxes so Canadians can spend and invest their tax savings into our economy and job creators can spend their tax savings, invest in new equipment and technology and hire new employees. Thanks to our Conservative government, Canadians are paying a lot less tax than they used to. In fact, the average Canadian family pays up to \$3,000 less in taxes than it used to before we took office. The NDP opposed this tax relief.

The NDP's plans to impose job-killing taxes on Canadian families and business is the last thing our economy needs.

**ORAL QUESTIONS***[Translation]***ABORIGINAL AFFAIRS**

**Mrs. Nicole Turmel (Leader of the Opposition, NDP):** Mr. Speaker, I was in Attawapiskat yesterday, and I want to tell the Prime Minister about the situation in that community. It is terrible, unimaginable, worse than anything we could imagine. People are living in shacks, tents and trailers. There is no running water, no heating. The little heat they do have could turn their shelters into fire traps. They are sleeping on mouldy mattresses and their children are living outdoors. What will the Prime Minister do? Will he show some leadership and go to visit these people?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, as I said yesterday, the government has invested more than \$90 million in this community and these results are unacceptable. That is why we are taking immediate action to help these people who are in need of immediate assistance. The government will also take action to improve the long-term management in the community. The minister will make an announcement about that later.

**Mrs. Nicole Turmel (Leader of the Opposition, NDP):** Mr. Speaker, I agree with the Prime Minister that we cannot just throw money at Attawapiskat and think that all its problems will be solved. It is true that this requires a short-, medium- and long-term plan. It takes political will, which we have not seen in the past 10 years. What is the Prime Minister waiting for? Where is his leadership?

*Oral Questions*

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, it is the government that is taking action and the opposition that is voting against investments in this community. I will say it again: this government has invested more than \$90 million. The results are unacceptable, and we will take other steps to obtain better results.

[English]

**Mrs. Nycole Turmel (Leader of the Opposition, NDP):** Mr. Speaker, the Prime Minister has to take responsibility. He has to take charge. It is his duty to help the people of Attawapiskat, an entire Canadian community living in third world conditions in the Arctic cold. It is minus 22°C today. That is what we see right now.

The Prime Minister should go there and see for himself. He should sleep in a shack in a sleeping bag. He would see that the sleeping bags provided by the Red Cross are not the solution. We need better. Winter is coming. Where is the action? Where is the leadership?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, this government has invested more than \$90 million in this community since coming to office. Obviously the results are not satisfactory.

That is why the government has people on the ground taking additional emergency action. It is also why we will be announcing additional steps to deal with management problems in this community.

[Translation]

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, a state of emergency was declared in Attawapiskat a month ago. The situation is very serious. The Red Cross disaster relief team is on the ground now. But we want to know where the federal government's plan is. The government must work with the community to find a long-term solution.

Will the government declare a state of emergency and assist the people in distress in Attawapiskat?

● (1425)

[English]

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, we are continuing to work with the province and the community to implement the emergency management plan to ensure the residents have access to warm, dry and safe shelter.

On the ground assessment has determined that urgent health and safety issues demand immediate action. Therefore, we have informed Chief Spence that we are placing the first nation in third party management.

I have also requested a comprehensive audit to identify how money has been spent and what oversight measures have been taken over the past five years.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, Attawapiskat is ground zero of a national catastrophe, and after a month of inaction when the Red Cross has had to step in, when emergency measures have had to step in, the Conservatives' solution is to blame the community. If they wanted to know what was happening in the community, they could have called their co-

manager who is on the ground right now and with whom I spoke yesterday.

When the Red River floods, people show up. When Slave Lake burned, politicians showed up. Why are the people of Attawapiskat treated so differently? Why is it that when it is a first nation community in distress, the government's response is contempt?

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, our priority is ensuring that people in immediate need get adequate shelter as quickly as possible. We are also looking at ways to ensure this situation does not happen again.

We agree that we cannot have band-aid solutions. There are larger structural issues that need to be addressed. We will provide short and longer-term ways to address these concerns.

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, the government that should be placed under third party management is right across the way. It is right over there. That is what should be under third party management.

It is a classic case. There are dozens of Attawapiskats right across the country. It is not the only community that is facing these conditions and these difficulties. In her last report, the Auditor General of Canada said that the aboriginal people of our country were living in intolerable conditions.

It is the government that has to take responsibility for what has happened and not simply continue to blame the victims. The government is all hat and no cattle when it comes to—

**The Speaker:** The right hon. Prime Minister.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, as I have said repeatedly, this government has made large scale investments into this community, unlike the party opposite when it was in government. This government is determined and is prepared to take the steps necessary to ensure results with those funds.

By the way, that is why the people of Canada placed the Liberal Party under third party management.

[Translation]

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, we can see how seriously the Prime Minister takes this problem. He is still doing the same thing he did yesterday: investments in health and education are included in the \$90 million he is still talking about today. The Auditor General clearly said that the federal government is responsible for the problems with living conditions in Attawapiskat and in all the other communities struggling with the same problems. It must take responsibility.

When will the government take responsibility and resolve these problems?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, it is unbelievable to hear the Liberal Party criticize this government for investing in education, health and housing in this community. Those are our responsibilities. Education is the most important thing for the future of people in that community, and we will continue to make such investments.



*Oral Questions**[English]*

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, one of the government's first decisions was to cancel a \$5 billion agreement that was negotiated for over a year between the provinces and the federal government, known as the Kelowna accord. It was booked in the financial details of the company—

**Some hon. members:** Oh, oh!

• (1430)

**The Speaker:** Order, please. The hon. member for Toronto-Centre has the floor.

**Hon. Bob Rae:** Mr. Speaker, so much for decorum. We know where decorum normally lies in the House. Those guys are prepared to heckle, intimidate, clap and stop others from talking. That is the way they manage.

That is why if there is a trusteeship to be established, it should be a trusteeship on the government. It is the one that failed to take responsibility. It is the one that is failing to take charge. That is where the problem lies.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the Liberal Party's idea of acting when it was in government, after 13 years, was putting out a press release without a plan. That is what we got from the Liberal Party.

This government has put \$90 million into this community. On behalf of all Canadians and the ordinary members of that first nation, this government is prepared to do what the others were not prepared to do, and that is to ensure there is good management in these communities.

\* \* \*

**HARMONIZED SALES TAX**

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, B.C. families did not want the Conservative-Liberal harmonized sales tax three years ago, but the Conservative government refused to listen. We rejected the unfair tax again in referendum last summer. The government wants to make B.C. families pay billions in penalties. The government continues to stall and refuses to implement the removal of the HST.

Will the Conservatives finally take responsibility for their role and negotiate a fair deal for British Columbians? Why do they continue to ask B.C. families to pick up the tab for this absolute, utter, complete Conservative-Liberal HST fiasco?

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, we actually respect provincial jurisdiction. Harmonization of the sales tax is provincial jurisdiction. British Columbia chose not to continue with that, but the B.C. government acknowledged the that harmonization agreement stipulated that transitional assistance must be recovered should the province wish to exit the program.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, the sound we are hearing is the Conservatives desperately trying to blame somebody. They have nobody to blame but themselves.

The government has already collected two years of HST revenue from B.C. families. The unfair Conservative tax has already cost B.C. families hundreds upon hundreds of dollars a year. The

Conservative government seems to want to make British Columbians pay and pay and pay.

When will the government agree to give families a break and stop making them pay for the Conservative-Liberal HST fiasco? When will it fix the B.C. HST error?

**Hon. Ted Menzies (Minister of State (Finance), CPC):** Mr. Speaker, the only HST error comes from the members of the NDP. They are uncertain whether they are for it or against it. For example, in British Columbia I understand now they are against it. In Quebec they are for the HST. In Nova Scotia they actually supported an increase in the HST.

Those members cannot have it both ways. Either they want to reduce taxes for Canadians and make taxes fairer or they do not. I am assuming they do not.

\* \* \*

*[Translation]***THE ENVIRONMENT**

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, once upon a time, there was a CBC reporter, now the Minister of the Environment, who warned us that greenhouse gases were, and I quote, the “most important of all the environmental questions”. How times have changed.

At the time, he said that future generations would have to worry about the threat posed by greenhouse gases and, well, here we are.

What is the minister waiting for to come up with a real plan, instead of pulling Canada out of Kyoto?

*[English]*

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, let me assure my colleague that Canada will participate in the Durban conference in the same good faith we have demonstrated at pre-COP meetings all through this year.

Canada is working toward a new single international climate change agreement that would include all major emitters. The Cancun agreements, based on the Copenhagen accord, provide a solid foundation for such a regime. In Durban we will work to implement this agreement.

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, I do not have a lot of faith in that good faith because it is Conservative inaction that has made us a climate change laggard and denied Canadians jobs in the new energy economy.

I do not blame the Conservatives for wanting to pull out. Kyoto's independent emissions audits have exposed six years of failure by the government, six years of failed environmental policies and six years of failed federal leadership.

The government's climate inaction kills Canadian jobs. When will it stop blaming the Liberals for the failure of Kyoto? When will it actually introduce a plan for a transition to a new energy economy?

• (1435)

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, I thank my colleague for reminding the House that the Kyoto agreement was one of the biggest blunders the previous Liberal government made.

Canada will not take on a new target under the Kyoto protocol, but we will not obstruct those who wish to cling to it. The protocol is neither effective nor fair and it does include commitments by all major emitters.

We do remain committed to the Copenhagen accord, which the Prime Minister signed. We are working toward reaching our 2020 reduction targets.

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## JUSTICE

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, yesterday the government admitted that its prison agenda bill was flawed. The Minister of Public Safety tried to introduce 11th hour amendments to Bill C-10 only to be ruled out of order by the Speaker. It seems that the mountain of opposition from experts, crown prosecutors, the provinces and the public has struck a nerve.

Now that the government has admitted its bill is flawed, will it finally work with others to make improvements, or will it continue to insist on ramming the bill through Parliament?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, we will make no such admission. The bill is very targeted. It goes after drug dealers and child molesters.

We consulted with the people of Canada. Millions of Canadians heard what we had to say. They gave us their support, and we are very grateful for that.

[Translation]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, talking to the Conservatives about Bill C-10 is like talking to a brick wall.

Yesterday in the House, the government finally admitted that its crime bill, Bill C-10, is seriously flawed. Experts agree. Police chiefs agree. The provinces agree. This bill is bad and unbalanced and will cost the provinces a fortune. After months of ignoring everyone, the government finally seems to understand that it made a mistake.

Will the government send the bill back to committee so we can make the necessary changes, or will it continue down the wrong path, to the detriment of the provinces and Canadian families?

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, the vast majority of Canadians and Quebecers—except for those across the floor—understand the important objective of Bill C-10, that is, protecting Canadians from violent criminals.

Furthermore, an eminent Quebecer, former minister Marc Bellemare, recently said, “Minister Fournier did not speak for all Quebecers in Ottawa. I think this bill is in line with Quebec's values.”

It is time for the opposition to stop deceiving Canadians and Quebecers.

## Oral Questions

[English]

## EMPLOYMENT INSURANCE

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, service at EI call centres is the worst it has been in six years and yet the minister still will not admit she has a problem. She has the gall to blame staff for service slowdowns. That is outrageous. That minister cut 1,000 processing agent jobs. That is why call centres cannot keep up and jobless Canadians cannot reach anyone when they need help.

When will the minister stop her work to rule, admit she has a problem and fix Service Canada call centres?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, we do want to ensure that Canadians get access to the benefits they need and deserve in a timely manner. That is why we are investing in upgrades to the systems, whether it is our EI processing, which is woefully paper-based and takes way too long to process, or whether it is our call centres.

I would point out that the member opposite's numbers are a bit wrong. In fact, most calls for assistance are handled and answered through the automated system.

[Translation]

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, this government is desperately trying to justify its bad decisions. A thousand Service Canada agents who process employment insurance claims have been laid off since the spring. Frustrated unemployed workers have to wait weeks before they are able speak to a representative. The minister is now accusing employees of purposely slowing down the work.

Will this government finally recognize that its cuts at Service Canada are responsible for the distress of unemployed workers' families?

[English]

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, under our economic action plan to deal with the global recession, we did engage quite a number of additional personnel on a short-term basis. The employees knew that. The unions knew that. It was to help get over the spike in EI claims.

Our unemployment rate is down. We no longer need all of those people to process. They were released. Many of them though were actually absorbed into the system to work and to continue to improve services so Canadians get the benefits they need in a timely manner.



*Oral Questions*

● (1440)

**CITIZENSHIP AND IMMIGRATION**

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, yesterday the Minister of Citizenship, Immigration and Multiculturalism claimed that only two Immigration and Refugee Board appointments had “any association with the Conservative Party”. The facts disagree. Uppal, Guénette, Wolman, Andrachuk were all failed Conservative candidates and all were appointed by the government. However, there is more. At least 10 appointments were Conservative donors and another was a senior adviser to a Conservative minister.

Why are the Conservatives making partisan appointments to an independent tribunal? Why did that minister mislead the House?

**Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC):** I did no such thing, Mr. Speaker. I said that I was aware of 2 individuals that I had appointed out of 150 appointments and reappointments. Every one of those individuals made it through the very rigorous pre-screening process, where 90% of candidates are not actually recommended to the minister.

Just last week the representative of the United Nations High Commissioner for Refugees told me that he thought Canada continued to have the world's model asylum system. It is unfortunate that the NDP is denigrating the independence and the integrity of this important quasi-judicial body, which is regarded as a model throughout the world and which now has the most rigorous pre-screening process for appointments in its history.

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**NATURAL RESOURCES**

**Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.):** Mr. Speaker, as of today the Conservatives are in formal default of their promise of a Muskrat Falls loan guarantee.

After over a year of analysis, a financial equivalent is being floated instead. Offering a financial equivalent is a refusal to assume any future risk for the project. It is not a true loan guarantee and is not what was promised. In contrast, a true loan guarantee would not cost the federal treasury a nickel as long as the project was technically and financially and economically viable.

Will a loan guarantee be offered, yes or no?

**Hon. Joe Oliver (Minister of Natural Resources, CPC):** Mr. Speaker, the Muskrat Falls project will provide significant economic benefits to the Atlantic region and will substantially reduce greenhouse gas emissions. We have reached many milestones in this process, including the new dawn agreement with the Innu of Labrador, and appointing a financial adviser to ensure taxpayer interests are respected.

We will work together to ensure there is a guarantee. There will be a guarantee—

**The Speaker:** Order, please. The hon. member for Beauséjour.

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**FOREIGN AFFAIRS**

**Hon. Dominic LeBlanc (Beauséjour, Lib.):** Mr. Speaker, eight months ago, Hank Tepper went to Lebanon with a Canadian trade

delegation to sell potatoes. He has been held in a tiny Beirut jail cell ever since. Eight months in a Beirut jail for dubious allegations about potatoes sent to Algeria four years ago. This makes no sense at all.

The minister should understand that a consular visit for 10 minutes, once a month, by a junior officer at our embassy, is not going to solve the problem. When will she take her responsibility and bring this Canadian citizen home to New Brunswick for Christmas?

**Hon. Diane Ablonczy (Minister of State of Foreign Affairs (Americas and Consular Affairs), CPC):** Mr. Speaker, the House knows that the government is very concerned about Mr. Tepper's case and knows how difficult this is for him and his family. I have said this before, consular officials in Lebanon have been actively providing consular assistance and support to Mr. Tepper and his family since his arrival.

As I have also mentioned, we are engaging on Mr. Tepper's behalf through quiet and diplomatic channels because we strongly believe that this is the best possible approach, and we will continue to work in Mr. Tepper's best interests.

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, prejudicial legal manoeuvring continues in the political persecution against former Ukrainian prime minister Tymoshenko. Now the judge, who was to hear her appeal tomorrow, has just been fired, and her health in jail continues to deteriorate.

Other governments are wading in. What is Canada doing? Is Canada insisting on all legal proceedings being public? Has independent medical help been provided, and has Ukraine been warned that anything untoward happening to Ms. Tymoshenko will damage relations with Canada?

● (1445)

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, this government has spoken out strongly against politically-based judicial proceedings. We are tremendously concerned by what we have seen in Ukraine. We have been very clear with the government of Ukraine that Canada, Canadians, and the Government of Canada expects that this individual will be treated fairly with an independent judicial process, and that there would be consequences to our bilateral relations if this does not happen.

We remain very concerned about her health and are certainly prepared to offer her anything we can to support her in that regard.

\* \* \*

**INFRASTRUCTURE**

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, the so-called build Canada infrastructure fund will run out in 2014, but the government cannot be trusted to give municipalities what they need: accountable, comprehensive and transparent funding. It does not even know how many jobs were created from the economic action plan.

*Oral Questions*

To ensure transparency and accountability this time, will the minister commit to tabling progress reports on each phase of his consultations?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, I was very proud this morning, on behalf of the Prime Minister, to launch the new three phase process for the new infrastructure plan.

I have here press release from the Fédération canadienne des municipalités, Connect Canada, Engineers Canada, and Union des municipalités du Québec, all supporting the great job we are doing with infrastructure.

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, two out of three infrastructure applications from first nations communities have been rejected since 2006. That is close to 1,000 applications from aboriginal communities for roads, sewage treatment and clean water. The first nations were just told no. The result is desperate situations. These important applications should not be dismissed. They should be reviewed and approved.

Why does the infrastructure minister continue to tolerate third world conditions in first nations communities?

**Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, we have spent unprecedented money on infrastructure on reserves. It does not all come out of the stimulus spending plan. A lot of it is departmental spending. We have spent it on water and waste water systems. We have spent it on housing. We have spent it through Health Canada on health clinics.

This is an unprecedented level of investment in first nations by any other government. This is a big accomplishment and we want to continue to build from that.

[Translation]

**Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP):** Mr. Speaker, our communities are facing major challenges. Although the government made the excise tax permanent, it is still insufficient to address our communities' infrastructure priorities. The government's excise tax brings in 10¢ a litre but municipalities receive only 5¢ a litre.

Will the government commit to indexing the amount given to the municipalities and thus assure Canadians that the money paid will indeed be invested in our communities?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, this morning, I had the honour of presenting, on behalf of our great Prime Minister, a new infrastructure program for 2014 onward.

This morning, the Federation of Canadian Municipalities praised the work of this government saying that no government has done as much for this country's infrastructure as our government has in the past few years: we have invested \$33 billion in the building Canada fund, something that has never been seen in the history of this country.

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, while we wait for 2014, this government is once again turning its back on families and refusing to respond to calls for financing for the new Guertin amphitheatre in Gatineau and the new coliseum in Trois-Rivières. This infrastructure is an important economic driver for these regions and allows families to be more active and to attend sporting and cultural events.

Why is this government refusing to make any sort of contribution? Does this government want to kill these regions' economies at any price?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, we have said it before and we have repeated it in the past few days. I issued a statement on November 10 and I sent a letter to the Government of Quebec dated November 21 to the effect that our government will not support sports infrastructure that will be used for professional sports and major junior league teams. We have been very clear. We have said it repeatedly. This applies to the entire country—not just one region but the entire country. We will continue in that direction.

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● (1450)

[English]

**THE ECONOMY**

**Mr. John Carmichael (Don Valley West, CPC):** Mr. Speaker, today Statistics Canada reported that Canada's economy grew 3.5% in the third quarter. This growth is beyond the expectations of private sector economists. It is a positive sign in troubled times. Yet, we know that as a result of this period of economic uncertainty, there are many Canadian families that are struggling to make ends meet.

Would the Prime Minister please comment on the government's plan to protect jobs and economic growth in Canada?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, today's numbers showing significant growth in the Canadian economy last quarter are very encouraging. At the same time, we remain very concerned about the problems in Europe, particularly the problems of debt and deficit.

[Translation]

These problems are part and parcel of the fragile global economy. That is why we will continue to focus on our plan to keep taxes low in order to foster employment and growth.

[English]

We will continue to be focused, as a government, on jobs and growth, and also on keeping taxes low. Now is not the time for the kind of job killing tax hikes proposed by the NDP.



*Oral Questions***FOREIGN AFFAIRS**

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, Henk Tepper's family, in New Brunswick, is still waiting for him to come home safe and sound.

Today, we learned the RCMP sent his private information to Algeria before he was arrested. This sounds like the Maher Arar scandal all over again.

Will the Conservative government take responsibility for its role in this affair and will it tell this House, and the Tepper family, what it is doing to bring Henk Tepper home today?

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, I am advised that the RCMP has assisted Interpol with a criminal investigation. I am also advised that the RCMP co-operation was done in accordance with Canadian law. It would be inappropriate to comment any further as this matter is ongoing.

[Translation]

**Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP):** Mr. Speaker, it is not good enough to say that the minister cannot speak publicly. What we have learned today is too serious. This is not the first time that personal information about Canadian citizens has been sent to foreign governments, and often in very problematic situations. The RCMP did not even advise Mr. Tepper that it was providing his personal information to a foreign country.

What does this government intend to do to address this situation and return Mr. Tepper to Canada?

[English]

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, I am advised that the RCMP has assisted Interpol with a criminal investigation. I am also advised that the RCMP co-operation was done in accordance with Canadian law. It would be inappropriate to comment any further as this investigation is ongoing.

\* \* \*

[Translation]

**CANADA-U.S. RELATIONS**

**Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP):** Mr. Speaker, the fate of Canadians detained abroad is not the only problem. After spending months turning in circles without making any announcements, the government is now prepared to sign the border agreement with the United States. No one knows what is in that agreement. The Privacy Commissioner is concerned about the way the information will be shared with the Americans, but the government refuses to talk to her.

I have a very simple question: will the government commit to presenting the agreement to Parliament?

[English]

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, no final agreement has been reached. Ongoing discussions are taking place. When there is an agreement to be announced, members opposite will certainly be among the first to hear that.

We are seeking to establish a relationship with the Obama administration to ensure that the border is not a barrier to jobs, economic growth, or growing the Canadian economy. There is a

reason why the Canadian economy grew by 3.5% in the third quarter. It is because this government is focused like a laser on jobs and the economy, and we are going to continue to do so.

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, how can anyone trust the government? Every time it negotiates with the Americans, it costs Canadian jobs and Canadian families lose out. That is the record. From the softwood lumber sellout thickening the border or new fees slapped on Canadians to the government's botched efforts on buy American, Conservatives have failed to defend the interests of Canadians every single time.

When will the minister bring an agreement before Parliament? Will the Conservatives let Canadians see what they are giving away this time?

• (1455)

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, we are working with the Obama administration to try to allow trade to go back and forth between Canada and the United States. This is not just important but it is vital to the auto sector in southwestern Ontario and critical to the future economy of Windsor-Essex.

The member opposite disagrees with free trade. He does not want us to trade with the United States. He does not want a trade agreement with the United States. If he will not fight for jobs in Windsor-Essex, maybe he should step aside and let those of us on this side of the House do it.

**Ms. Judy Foote (Random—Burin—St. George's, Lib.):** Mr. Speaker, the Conservative government has used privacy as a reason for getting rid of the long form census. It used privacy as an excuse for killing the long gun registry. Despite its apparent concern about privacy, we now learn that the government is willing to sign a perimeter security deal with the U.S., sharing the travelling information of Canadians.

Why do the Americans have the right to know where Canadians are travelling if they are not going to or over American territory?

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, no agreement has been concluded. No agreement has been announced. Yet, the member opposite is scaremongering Canadians.

We are seeking a constructive relationship with the Obama administration to ensure that goods and services can make their way across the border. That is good for Canadian jobs, good for American jobs, and good for economic growth. That is the focus that this government is taking: job protection and job creation here in Canada.

[Translation]

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, in the name of privacy, this government refuses to give the provinces the information from the firearms registry—which would improve protection for the public and our police officers—but it is prepared to give the Americans some very personal information, such as the fact that Mr. and Mrs. So-and-so left Labelle and went to Paris.

Why does the Conservative government trust the American authorities more than the provincial governments, its Canadian partners?

[English]

**Hon. John Baird (Minister of Foreign Affairs, CPC):** Mr. Speaker, every time Canadians travel to the United States they produce their passport, they have to tell the authorities who they are and where they are going. The reality is that we want it to be as easy as possible for Canadian firms to do business in the United States, to build and manufacture goods and services right here in Canada, and to sell them south of the border.

A thickening border is preventing that and this government, under the leadership of this Prime Minister, is doing the right thing for Canada, the right thing for jobs, and working constructively with the Obama administration. That is real leadership.

\* \* \*

[Translation]

## NATIONAL DEFENCE

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, this summer, when the Conservatives decided to profess their love for the royals by hanging portraits of the Queen all over the place and adding the word “royal” to the name of our air force, they completely forgot to think about an appropriate French acronym. In a rush, they decided to use the name “forces aériennes royales canadiennes”, or FARC. You do not need to know much about geopolitics to know that FARC is a Colombian terrorist organization.

Who will the Minister of National Defence blame for this mistake?

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, it is clear. Our air force's French name is Aviation royale du Canada, and we are very proud of that name.

[English]

I want to take this opportunity to congratulate Lieutenant-General Charlie Bouchard and our entire Royal Canadian Air Force for all they did to bring about the successful liberation of the people of Libya.

[Translation]

Congratulations and thank you.

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, the name change was improvised. The French acronym was created on the fly. This mistake highlights the lack of consideration for the French language. The Conservatives are improvising all over

## Oral Questions

the place: the management of military bases, the purchase of equipment, our veterans. That is a worrying trend.

How does the minister explain to francophone air force personnel and their families, who are proud of the work they do, that his department's original plan was to rename the air force with the acronym of a terrorist organization?

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, restoring the historic royal designation of the three branches re-establishes an important and recognizable part of our military heritage and establishes a link with similar important contributions made by the Canadian Forces today. We are very proud of this name and we are certainly very proud of the people who work very hard for our country every day.

• (1500)

[English]

**Mr. Rick Norlock (Northumberland—Quinte West, CPC):** Mr. Speaker, in July of this year our Canadian Forces handed over Task Force Kandahar to American personnel, and we began drawing down on equipment and personnel.

The Canadian focus for the next few years will be our training mission centred in and around Kabul. Today we learned that Task Force Canuck, our tactical air lift unit, will be welcomed home at 8 Wing Trenton.

Can the Minister of National Defence tell the House what Task Force Canuck accomplished in Kandahar?

**Hon. Peter MacKay (Minister of National Defence, CPC):** Mr. Speaker, the member for Northumberland—Quinte West, home of 8 Wing Trenton, is correct.

Today the Chief of the Defence Staff and other senior military commanders will welcome home the crew of Task Force Canuck, our outstanding Hercules aircraft unit that conducted operations in Afghanistan.

They began their engagement in Afghanistan in 2001, transporting Canadian Forces personnel and equipment in and out of the Kandahar airfield, as well as supporting the ISAF mission brilliantly. They completed more than 3,400 logistical and operational missions successfully and safely over that 10-year period.

We welcome them home. We thank them. We congratulate them. They are the best.

\* \* \*

## THE ENVIRONMENT

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Mr. Speaker, the IOUs for climate change are coming.

Instead of trying to solve climate change, the Conservatives are saying “Get used to it; let us adapt”, and worse, they are paying lip service to that enormous cost of adaptation.

These enormous IOUs for climate change add to the \$600 billion of debt that the Conservatives are passing on to our kids. We are causing climate change; why should our kids pay for it? I believe that is not fair. I believe that is immoral.



### Oral Questions

Why have the Conservatives made Canada a quitter on solving climate change?

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, it is bad enough that the Liberals embraced Kyoto in the first place, but what made it truly outrageous was that they did so with no intention of ever fulfilling their obligations.

Let me just offer a quote from another lucid member of this House.

[The Liberal government's] plan in terms of the Kyoto agreement was basically written on the back of an airplane napkin on the way to Kyoto. There was no long term planning. There was no real negotiation with the provinces or with industry sectors. In fact it was a last minute, hastily drafted agreement.

Who said that? It was the member for Kings—Hants in a moment of—

**Some hon. members:** Oh, oh!

**The Speaker:** Order. The hon. member for La Pointe-de-l'Île.

\* \* \*

[Translation]

### AIR CANADA

**Ms. Ève Pécelet (La Pointe-de-l'Île, NDP):** Mr. Speaker, on November 7 Air Canada decided to move its head office to Brampton, Ontario. This move will force over 140 employees to choose between moving their families and losing their jobs. There is a good chance most of them will choose to remain in Montreal, which could make it very difficult for Air Canada employees to obtain services in French.

Will the minister enforce the law stipulating that Air Canada's head office must be located in Montreal, and will he protect bilingualism within Air Canada?

**Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC):** Mr. Speaker, in response to my hon. colleague, I would remind her that we recently introduced a bill on respect for official languages that allows the Commissioner of Official Languages to deal directly with companies that are under contract with Air Canada. There is also an amendment to compel the company to honour its commitments. Air Canada is a private corporation and we want it to be as successful as possible here in Canada.

\* \* \*

[English]

### FIREARMS REGISTRY

**Mr. John Williamson (New Brunswick Southwest, CPC):** Mr. Speaker, as I was saying yesterday, Canadians gave our government a strong mandate to end the wasteful and ineffective long gun registry once and for all. That is exactly what we are going to do.

The NDP has punished its members for voting with their constituents. It has sent members into committee to try to gut our legislation and is now engaging in misleading propaganda, claiming that restricted firearms would become non-restricted after the registry is abolished.

Could the minister comment on whether ending the long gun registry will do this?

**Hon. Vic Toews (Minister of Public Safety, CPC):** Mr. Speaker, first the NDP showed a restricted firearm on its misleading ads and claimed it was non-restricted. When this deceit was uncovered, it was forced to change its ads. What were they replaced with? Yet another restricted firearm that the NDP claims to be non-restricted.

I would call on the NDP to end this ridiculous and misleading campaign. Repeatedly playing fast and loose with the facts just shows Canadians that the NDP is unfit to govern.

\* \* \*

● (1505)

[Translation]

### CANADA POST

**Ms. Francine Raynault (Joliette, NDP):** Mr. Speaker, with the planned cuts to Canada Post, we are starting to wonder whether people have to live downtown to be entitled to postal service. Does the government forget that mail delivery is an essential service? Canadians and Quebecers who live in rural areas need and are entitled to receive their mail and have a post office nearby. Driving or walking 20, 30 or 40 minutes to get the mail is unacceptable.

Why is the government refusing to keep rural post offices open?

[English]

**Hon. Steven Fletcher (Minister of State (Transport), CPC):** Mr. Speaker, our government is committed to quality postal service for all Canadians, no matter where they live. That is why our government introduced the Canadian Postal Service Charter. We expect Canada Post to abide by the charter and provide quality postal service that Canadians can count on.

We are focused on service to Canadians like a laser. That member is zapped.

\* \* \*

[Translation]

### THE ENVIRONMENT

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, again, the Conservative government is embarrassing us at the Climate Change Conference in Durban by collecting fossil awards and taking jabs here and there for its inaction on reducing greenhouse gases. The Premier of Quebec, his environment minister, and Nobel Laureate Desmond Tutu all denounce Canada's attitude.

Can the Minister of the Environment tell us whose interests he is promoting in Durban? Certainly not those of the Quebec companies that have invested in sustainable development in accordance with the Kyoto protocol; they will be penalized by the government's sabotage.

[English]

**Hon. Peter Kent (Minister of the Environment, CPC):** Mr. Speaker, our government is proud of the abundance of natural resources with which our country has been blessed. We are also proud of the responsible and sustainable way that these resources are being developed. Finally, we are proud of our commitment to the Copenhagen and Cancun agreements and our pledge to reduce greenhouse gas emissions by 17% by 2020.

## ROUTINE PROCEEDINGS

[English]

### FINANCIAL LITERACY LEADER ACT

**Hon. Ted Menzies (Minister of State (Finance), CPC) (for the Minister of Finance)** moved for leave to introduce Bill C-28, An Act to amend the Financial Consumer Agency of Canada Act.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

[Translation]

### INTERPARLIAMENTARY DELEGATIONS

**Mr. Daryl Kramp (Prince Edward—Hastings, CPC):** Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the report of the Canadian joint delegation of the Canada-China Legislative Association and the Canada-Japan Inter-parliamentary Group regarding its participation in the 15th annual Assembly of the Asia-Pacific Parliamentarians Conference on the Environment and Development or APPCED, which was held in Kuala Lumpur, Malaysia, from June 6 to 9, 2011.

**Hon. Mauril Bélanger (Ottawa—Vanier, Lib.):** Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the report of the Canadian delegation of the Canada-Africa Parliamentary Association respecting its bilateral visits to Ethiopia and Senegal last month, from October 9 to 14, 2011.

\* \* \*

● (1510)

[English]

### COMMITTEES OF THE HOUSE

#### VETERANS AFFAIRS

**Mr. Greg Kerr (West Nova, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the first report of the Standing Committee on Veterans Affairs in relation to the Supplementary Estimates (B), 2011-12.

#### JUSTICE AND HUMAN RIGHTS

**Mr. Dave MacKenzie (Oxford, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Committee on Justice and Human Rights in relation to Supplementary Estimates (B), 2011-12, Votes 30b and 35b, under the Department of Justice.

### Routine Proceedings

#### PROCEDURE AND HOUSE AFFAIRS

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the 11th report of the Standing Committee on Procedure and House Affairs in relation to Bill C-20, An Act to amend the Constitution Act, 1867, the Electoral Boundaries Readjustment Act and the Canada Elections Act. The committee studied the bill and decided to report the bill back to the House without amendment.

[Translation]

#### FINANCE

**Mr. James Rajotte (Edmonton—Leduc, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Committee on Finance in relation to the 2011 pre-budget consultations.

[English]

If the House gives its consent, I intend to move concurrence in this report later this day.

#### PUBLIC SAFETY AND NATIONAL SECURITY

**Mr. Kevin Sorenson (Crowfoot, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the first report of the Standing Committee on Public Safety and National Security in relation to Bill C-19, An Act to amend the Criminal Code and the Firearms Act. The committee has studied the bill and has decided to report the bill back to the House without amendment.

My constituents in Crowfoot and millions of Canadians have been waiting for this moment for more than 10 years. Bill C-19 would scrap the failed and costly long gun registry. This bill would decriminalize law-abiding responsible firearms owners and users all across Canada. I am pleased to present this report.

\* \* \*

### ALS MONTH ACT

**Mr. David Tilson (Dufferin—Caledon, CPC)** moved for leave to introduce Bill C-366, An Act to designate the month of June as Amyotrophic Lateral Sclerosis (also known as ALS or Lou Gehrig's disease) Month.

He said: Mr. Speaker, I rise today to reintroduce a private member's bill that would designate the month of June as amyotrophic lateral sclerosis month. As it says, it is also known as ALS or Lou Gehrig's disease. This bill would ensure that throughout Canada in each and every year, the month of June would be known as ALS month.

I have a very personal connection to this terrible disease. I lost my father to ALS a number of years ago, so raising awareness and encouraging research are causes close to my heart. I hope all members will support this initiative.



*Routine Proceedings*

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

**INCOME TAX ACT**

**Mr. Don Davies (Vancouver Kingsway, NDP)** moved for leave to introduce Bill C-367, An Act to amend the Income Tax Act (tax credit for dues paid to veterans' organizations).

He said: Mr. Speaker, I proudly rise this afternoon to reintroduce a bill that would create a fully refundable tax credit for membership dues paid to veterans' organizations.

The bill would provide a tax refund to members of the Royal Canadian Legion, the Army, Navy and Air Force Veterans in Canada Association and other veterans' organizations for the full cost of their membership dues.

Veterans' organizations have been facing a tough financial time. A tax credit for membership dues would allow them to raise the money they need to operate without putting their members into financial hardship, many of whom are living on a fixed income.

This measure would give our veterans' organizations some important fiscal room which they critically need. Veterans' organizations do so much valuable work in our communities and their members give countless hours to volunteer in our communities for local causes.

I want to acknowledge a particularly dedicated volunteer from my riding, Mr. Harvey McAuley from Collingwood Legion Branch 48, who is feeling under the weather right now.

I hope all members of the House will support my bill which would give financial relief to veterans' organizations and their members.

(Motions deemed adopted, bill read the first time and printed)

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● (1515)

**CANADA ELECTIONS ACT**

**Mr. Don Davies (Vancouver Kingsway, NDP)** moved for leave to introduce Bill C-368, An Act to amend the Canada Elections Act (voting age).

He said: Mr. Speaker, I rise to reintroduce a bill that would lower the voting age in federal elections to 16 years. I believe this is an important step that would improve democracy and civic participation in Canada.

The history of voting rights in Canada is one of making voting increasingly accessible. Initially, only property-owning males 21 years or older were eligible to vote. Over time, women, first nations and other minorities were included. The property requirement was scrapped and the voting age was lowered to 18.

I believe it is time for a serious debate about further broadening access to our most cherished democratic rights. We must note that young people pay taxes and are subject to federal laws, and therefore, they deserve a voice in government.

Too many Canadians choose not to vote, and non-voting is epidemic among young people. Lowering the voting age to 16 years

would ensure that new voters would be in high school for their first election. This would permit reinvigorated civics education in our schools, making young people better aware of political issues, their impact on their lives and the importance of voter participation in our democracy.

We note that a number of other countries allow citizens to vote at 16 years, including Austria and Brazil.

I hope the bill spurs a much needed conversation about improving democracy and voter participation in Canada. I seek the support of all of my colleagues to add to that important democratic debate.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

**EXCISE TAX ACT**

**Mr. Don Davies (Vancouver Kingsway, NDP)** moved for leave to introduce Bill C-369, An Act to amend the Excise Tax Act (no GST on batteries for medical and assistive devices).

He said: Mr. Speaker, I rise to reintroduce a bill that would remove the federal sales tax from the purchase of batteries used in medical equipment or devices.

This idea comes from a constituent of mine, Mr. James McAllister, who is a senior in Vancouver Kingsway. He lives in a city with a high cost of living. He has medical expenses, which include the purchase of batteries for essential medical devices. He was shocked that he had to pay tax on his medically necessary purchases.

There is an important principle reflected in our current law that sales taxes should not be charged on products that are essential for health and well-being.

The initial purchase of medical devices, including the battery, is currently tax exempt. However, tax is charged on replacement batteries for these medically necessary devices.

Ending the sales tax on replacement batteries would fix an important oversight in our tax laws. The cost to taxpayers for this exemption would be slight, but would have a significant positive impact on many low income seniors in my community and across the country.

As members of Parliament, we should all be in our communities talking to our constituents, hearing their concerns and proposing legislation that addresses their real concerns.

I hope that I can count on the support of all parties for this sensible and reasonable bill.

(Motions deemed adopted, bill read the first time and printed)

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### CANADA NATIONAL PARKS ACT

**Mr. Gordon Brown (Leeds—Grenville, CPC)** moved for leave to introduce Bill C-370, An Act to amend the Canada National Parks Act (St. Lawrence Islands National Park of Canada).

He said: Mr. Speaker, I would like to thank the member for Ajax—Pickering for seconding my motion.

The bill would amend the Canada National Parks Act by renaming the St. Lawrence Islands National Park as the 1000 Islands national park.

St. Lawrence Islands National Park could be almost anywhere from Kingston to Newfoundland, but in fact it is in the 1000 Islands region. As such, a more appropriate name for the park would be the 1000 Islands national park. There has been significant private consultation on this and I am pleased to put this bill forward.

(Motions deemed adopted, bill read the first time and printed)

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• (1520)

### EMPLOYMENT INSURANCE ACT

**Mr. Gordon Brown (Leeds—Grenville, CPC)** moved for leave to introduce Bill C-371, An Act to amend the Employment Insurance Act (illness of child) and another Act in consequence.

He said: Mr. Speaker, I do not have as many bills as the member for Vancouver Kingsway, but I am happy to introduce this private member's bill that would amend the Employment Insurance Act.

The bill would assist parents when they are caring for a child who is severely ill. I have had this bill in previous parliaments. The bill would increase compassionate care with the possibility of additional expansion of that support if the child remains under medical care and the parent must remain home with the child. I am happy to put this bill forward.

(Motions deemed adopted, bill read the first time and printed)

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### PARLIAMENTARY EMPLOYMENT AND STAFF RELATIONS ACT

**Ms. Chris Charlton (Hamilton Mountain, NDP)** moved for leave to introduce Bill C-372, An Act to amend the Parliamentary Employment and Staff Relations Act (members' staff).

She said: Mr. Speaker, I am pleased to have an opportunity to reintroduce my bill to amend the Parliamentary Employment and Staff Relations Act. I hope that all members representing all caucuses in the House of Commons will support what is a matter of simple justice.

My bill proposes to amend the Parliamentary Employment and Staff Relations Act to ensure that staff of senators and members of the House of Commons who serve in the capacity of member, leader, House leader, or whip, would enjoy the benefit of being permitted, if they so choose, to organize a union, to belong to a union, and to enjoy the benefits of collective bargaining.

### Routine Proceedings

I do not need to tell members that this is a set of rights and privileges that is considered fundamental in a modern democratic society such as Canada. In fact, we work long and hard to ensure that those rights are protected and advanced for all working people.

I must say that I was astonished when I arrived on Parliament Hill to discover that only the NDP caucus had voluntarily recognized the organization of its staff on Parliament Hill. In spite of that, they still do not enjoy the full benefits of collective bargaining. It remains true to this day that neither the employer nor the employee enjoys the full recognition of a union or an employer that is engaged in a collective bargaining process, and has obligations that go with that under the current legislation that governs this House.

As I said, this is a matter of fundamental justice, and for that reason, I hope that all members of the House will support my bill.

(Motions deemed adopted, bill read the first time and printed)

\* \* \*

### DEPARTMENT OF PEACE ACT

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP)** moved for leave to introduce Bill C-373, An Act to establish the Department of Peace.

He said: Mr. Speaker, I am pleased to introduce my bill, an act to establish the department of peace, to help advance the cause of peace in Canada and throughout the world.

[Translation]

The idea that all people can live in peace may seem a bit utopian, but each generation must, on behalf of the next generation, do everything in its power to come as close to reaching this goal as possible.

[English]

I would like to pay tribute to my former colleague, Bill Siksay, for introducing this bill in the last Parliament. He truly was and remains an inspiration for all of us.

[Translation]

I would also like to thank the leader of the Green Party and the Liberal member for Scarborough—Agincourt, as well as my fellow NDP members, for supporting this bill.

[English]

I also thank the folks from the Canadian Department of Peace Initiative for all their hard work in advancing this cause, a number of whom are here today. I extend a special thanks to Bill Bhaneja, the co-founder of CDPI, as well as Theresa Dunn, co-chair of CDPI, Koozma Tarasoff, a Doukhobor writer, historian and long-time advocate of peace, and Laura Savinkoff of Grand Forks of the Boundary Peace Initiative, among others.

This is truly a non-partisan issue. I urge all my colleagues on both sides of the House to join us in support of this important initiative. Let us give peace a chance.



*Routine Proceedings*

(Motions deemed adopted, bill read the first time and printed)

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**COMMITTEES OF THE HOUSE****FINANCE**

**Mr. James Rajotte (Edmonton—Leduc, CPC):** Mr. Speaker, if the House gives its consent, I move that the third report of the Standing Committee on Finance, presented to the House earlier this day, be concurred in.

This report requests an extension to table the report on the 2011 prebudget consultations.

**The Speaker:** Is there unanimous consent?

**Some hon. members:** Agreed.

(Motion agreed to)

\* \* \*

● (1525)

**PETITIONS****CHILD CARE**

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, I have one petition with many signatures on it to do with child care. The petitioners indicate that child care is often not accessible or affordable for Canadian families and is often of uncertain quality for young children. They indicate that child care creates jobs, makes Canada more competitive, helps achieve women's equality, builds local economies, and is a recognized human right.

The petitioners are calling on the House of Commons to legislate the right to universal access to child care and provide multi-year funding to provincial and territorial governments to build a national system of affordable, high-quality public and not-for-profit early childhood education and care accessible to all children.

The federal government must establish funding criteria and reporting mechanisms that ensure accountability for how the provinces and territories use federal funding to ensure quality, accessibility, universality and accountability, and that acknowledges Quebec's right to develop social programs with adequate compensation from the federal government.

[Translation]

**CHILD PORNOGRAPHY**

**Mr. Royal Galipeau (Ottawa—Orléans, CPC):** Mr. Speaker, unfortunately the scourge of child pornography has become more widespread with the advent of the Internet.

[English]

While serving as trustee of the Ottawa Public Library, I fought, with success, to protect children from Internet pornography. In fact, our local solution became the pan-Canadian model promoted by the Canadian Library Association.

[Translation]

This afternoon, I would like to bring to your attention a petition signed by more than 5,000 Canadians from across Canada, asking

Parliament to pass harsher laws to deal with people who abuse our children.

Statistics indicate that 39% of criminals with child pornography in their possession have images of children between the ages of three and five. Furthermore, 83% of these criminals have images that show children between the ages of six and twelve being sexually abused.

At present, section 163 of the Criminal Code of Canada imposes negligible minimum sentences such as 90 days imprisonment for making child pornography. For possession of such materials, a criminal may be sentenced to only 14 days in jail.

With this petition, Canadians are demanding higher minimum sentences to protect our children, fight pedophilia and provide more justice.

[English]

**SAFE STREETS AND COMMUNITIES LEGISLATION**

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, I am pleased to table a petition wherein the signatories express their concern that the bundling together of nine separate bills in one omnibus bill, Bill C-10, prevents the informed consideration that each bill independently warrants.

They further express concern that the costs for implementing these bills have not been properly assessed, and that the provinces of Quebec and Ontario have expressed their refusal to pay for these measures. The petitioners call upon Parliament to separate the bills and allow members to consider each of the bills separately.

**THE ENVIRONMENT**

**Mr. David Tilson (Dufferin—Caledon, CPC):** Mr. Speaker, I have the honour to present a petition signed by a number of people from all over Ontario.

The petitioners are concerned about a proposed mega quarry in Melancthon township in Dufferin country. It would be the largest open-pit quarry in Canada, being 2,300 acres. They are concerned about a number of things included in the proposed mega quarry application, one being that there are distinct issues relating to the use of water operations based on NAFTA considerations, which may have a very substantial negative financial implication federally and provincially.

The petitioners have asked that the Government of Canada conduct an environmental assessment, under the authority of the Canadian Environmental Assessment Act, on The Highland Companies' proposed mega quarry development.

[Translation]

**CRIME**

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Mr. Speaker, I rise today to present again a petition signed by Canadians from across British Columbia. It concerns Bill C-10.

[English]

The petitioners say that the omnibus crime bill crudely bundles together too many pieces of unrelated legislation, some of it makes sense and some of it does not. They say that there is a big problem with implementation because the provinces of Ontario and Quebec may refuse to pay for the cost of implementing parts of the bill which would be downloaded on them.

The petitioners call upon Parliament to separate Bill C-10 into its pieces and allow members to vote on each of its parts separately.

• (1530)

#### THE ENVIRONMENT

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, this may be my last opportunity to rise on the subject of climate change before leaving for Durban in the next day. I will be gone from the House for a while.

It is my honour to present a petition from residents of Quebec and Alberta who are very concerned about the costs of the climate crisis, costs that are not being adequately considered but which have been estimated by the National Round Table on the Environment and the Economy to be \$5 billion per year by 2020, rising to up to \$43 billion per year by 2050. As my hon. colleague, the member for Kingston and the Islands, put it so eloquently in his question earlier today, these will be costs that we will pass on to our children.

The petitioners call for real targets, real reductions, as were passed by the House in the last session: 25% below 1990 levels by 2020 and 80% below 1990 levels by 2050.

#### MULTIPLE SCLEROSIS

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, I am pleased to present two petitions today.

The first petition is with regard CCSVI. Over 15,000 procedures have now been performed in 60 countries. While the government has announced a request for proposals for phase I/II trials, leading CCSVI physicians and researchers in North America recommend an adaptive phase II/III trial. Eighteen months have passed since our initial request for clinical trials. On average, 400 Canadians die of MS each year. By the end of this year, 800 Canadians will have died from MS-related complications or suicide.

The petitioners call for the Minister of Health to consult experts actively engaged in diagnoses and treatment of CCSVI to undertake phase III clinical trials on an urgent basis, with a large patient participation in multiple centres across Canada, and to require follow-up care.

#### THE ENVIRONMENT

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, the second petition is with regard the atmospheric ozone layer, which is critical to life on Earth, through its regulation of ultraviolet radiation from the sun.

Canada participated in the eighth meeting of the Ozone research managers of the parties to the Vienna Convention for the Protection of the Ozone Layer in May 2011. Its presentation said that balloonsonde networks provided critical high-resolution vertical profiles of ozone, water vapour, and temperature, and needed to be

#### Routine Proceedings

maintained and expanded, since such data was critical to understanding the interactions between atmospheric composition and a changing climate.

The petitioners therefore call upon the Minister of the Environment to develop a plan to ensure the integrity of the ozone monitoring program and commission a report to assess the adequacy of Canadian contributions to the global observing system for climate in support of the UN FCCC.

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#### QUESTIONS PASSED AS ORDERS FOR RETURNS

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, if Question No. 175 could be made an order for return, this return would be tabled immediately.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

[Text]

Question No. 175—**Mr. Peter Julian:**

With regard to public subsidies to federal political parties and political contributions: (a) what was the total value given for calendar year 2010 as a part of the so-called "per vote subsidy" (also sometimes referred to as the "government allowance") to the (i) Conservative Party of Canada, (ii) New Democratic Party of Canada, (iii) Liberal Party of Canada, (iv) Green Party of Canada, (v) Bloc Québécois; (b) what was the total value given following the 2008 general election under the electoral expense reimbursement (also sometimes referred to as "government rebates", "government transfers", or "election rebates") including both the total national expense reimbursements received and the total riding expense reimbursements received to the (i) Conservative Party of Canada and candidates, (ii) New Democratic Party of Canada and candidates, (iii) Liberal Party of Canada and candidates, (iv) Green Party of Canada and candidates, (v) Bloc Québécois and candidates; (c) what was the total value given in calendar year 2010 via the personal income tax credit subsidy of political contributions as per the Income Tax Act to the (i) Conservative Party of Canada donors, (ii) New Democratic Party of Canada donors, (iii) Liberal Party of Canada donors, (iv) Green Party of Canada donors, (v) Bloc Québécois donors; (d) what percentage of the total amount paid out via the "per vote subsidy" went to the Conservative Party of Canada compared to all other registered political parties; (e) what percentage of the total amount paid out via the electoral expense reimbursements went to the Conservative Party of Canada and candidates thereof compared to all other registered political parties and candidates thereof; (f) what percentage of the total amount paid out via the personal income tax credit subsidy of political contributions went to Conservative Party of Canada donors compared to donors to all other registered political parties; and (g) which of the three aforementioned political subsidies to political parties has the government announced it intends to eliminate?

(Return tabled)

[English]

**Mr. Tom Lukiwski:** Mr. Speaker, I ask that the remaining questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.



*Government Orders***REQUEST FOR EMERGENCY DEBATE**

## COMMUNITY OF ATTAWAPISKAT

**The Speaker:** The Chair has notice of a request for an emergency debate. I will give the floor now to the hon. member for Timmins—James Bay.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I rise today to request a motion for the adjournment of the House for the purpose of an emergency debate on the government's response to the appalling conditions in the community of Attawapiskat on the James Bay coast in the riding of Timmins—James Bay. This is seconded by my colleague from Nanaimo—Cowichan.

[Translation]

Yesterday, I went to Attawapiskat with the Leader of the Opposition and I saw that the crisis affecting the Attawapiskat people is urgent. The situation is very serious in that community. It is clear that this situation is a true emergency that requires an immediate and urgent assessment by the House.

• (1535)

[English]

I was in the community of Attawapiskat yesterday for the second time in a month and conditions have deteriorated significantly. It is crystal clear that when citizens in Canada are living in unheated sheds and coughing up blood that it is a situation that requires a response.

I am asking for the immediate and urgent consideration of the House as set out in Standing Order 52(6)(a).

It has been a month since the community declared a state of emergency and now after a month, Red Cross emergency teams are on the ground. Emergency Management Ontario has been doing an independent analysis of the situation facing the families. There has been an outpouring of national concern, including this afternoon when the Ontario Public School Board called on all schools in Ontario to help the community of Attawapiskat. Yet we have seen very little response from the federal government except at this late hour to call for third party management.

There can be no doubt that the responsibility to act on this catastrophe and this failure of infrastructure and the basic needs of the community is the ultimate responsibility of the federal government, specifically that of Aboriginal Affairs and Northern Development Canada, which is one of the principal requirements set out in Standing Order 52(5) for granting an emergency debate.

[Translation]

Mr. Speaker, this issue just cannot wait. Winter has already arrived on the James Bay coast and the families of Attawapiskat are not equipped to deal with the current temperature. We saw many children living in unheated shacks, tents and condemned buildings.

[English]

We cannot wait on this issue. Canadians are watching us. Winter has set in. In James Bay yesterday it was -20°. Families are ill-equipped to deal with the plummeting temperatures, which was why we watched Red Cross officials bring in sleeping bags to help with the conditions.

In this Canadian community children are living in unheated sheds. Families are living in makeshift tents and condemned structures. This deplorable state of affairs has caused a national outcry.

It is time for us to look at the situation in Attawapiskat and turn our attention to what we should do as the Parliament of Canada to respond to our Canadian citizens, people who look to the government to protect them and help them in times of emergency.

I thank you in advance, Mr. Speaker, for your consideration on this urgent matter.

## SPEAKER'S RULING

**The Speaker:** I thank the hon. member for his request. I have no doubt that he is approaching this file with a great deal of sincerity. However, I do not feel it meets the test for an emergency debate at this time. I understand that a supply day is imminent. Perhaps the member could use that as a vehicle to raise this issue.

**GOVERNMENT ORDERS**

[English]

**SAFE STREETS AND COMMUNITIES ACT**

## BILL C-10—TIME ALLOCATION MOTION

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I move:

That in relation to Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, not more than one further sitting day shall be allotted to the consideration of the report stage and one sitting day shall be allotted to the third reading stage of the said bill and, fifteen minutes before the expiry of the time provided for government business on the day allotted to the consideration of the report stage and on the day allotted to the third reading stage of the said bill, any proceedings before the House shall be interrupted, if required for the purpose of this order, and in turn every question necessary for the disposal of the stage of the bill then under consideration shall be put forthwith and successively without further debate or amendment.

• (1540)

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, in its history, when the government was in opposition, it was highly critical of time allocation and closure motions and extremely critical of former governments that used this. As of earlier this week, the Conservatives set the all-time record. We had three time allocation motions prior to the summer break. We have now had eight, including the one we have today, bringing the total to eleven motions in a total of 57 sitting days. The Liberals, setting the all-time record prior to this, had nine time allocation motions or closure motions in 122 sitting days. Therefore, the Conservatives have the record.

*Government Orders*

We have to put this in a position with this bill. The government actually came forward with amendments on Bill C-10 therefore admitting this bill was flawed. How can the Leader of the Government in the House of Commons possibly justify time allocation motions in those circumstances, a flawed bill, and repeated times. The government clearly has done undemocratic process in this Parliament on a regular basis?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Madam Speaker, first, I thank the Leader of the Government in the House of Commons. I know he is committed to fighting crime in our country and moving ahead with the agenda that we promised Canadians. I appreciate the efforts he is making to ensure that the debate moves forward and that it comes to a conclusion.

Some of these bills have been around for quite some time. The drug bill, or a component of it, has been around for years. Madam Speaker, you probably remember this. In 2009 the Liberals used to support this bill to get tough on drug traffickers and people who brought drugs into our country and those who wanted to sell drugs around schools. That is how long it has been around.

That being said, these are all very important initiatives. I appreciate it is very bad news for drug dealers and people who molest children. They are going to be very upset that we are moving forward on this. It is too bad for them. If they are in the business of molesting children or drug trafficking, bringing drugs into the country, this bill is bad news for them. However, it is going to come to fruition and it is going to come into law. I appreciate all the support I have received on this side of the House.

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Madam Speaker, I believe I am in a very special position to reply to the government, and to the Minister of Justice in particular, who says that these bills have been around for a long time.

The people of Kingston and the Islands were served by a most notable servant of this House for many years, the Honourable Peter Milliken, who served as Speaker. He performed his role as Speaker very admirably, remained neutral on all sorts of disputes, did not speak in debates and did not sit in committees when these bills that the Minister of Justice refers to were discussed.

When the government says that we have talked about these bills a lot, that they have been in committees and we do not need to talk about them much more, people in Kingston and the Islands beg to differ. The reason is that their representative in the House was not able to participate in the debates, and they deserve a voice.

It is no accident that I have all these petitions to table here in the House of Commons on Bill C-10. The people in Kingston and the Islands are very much interested in expressing their views on Bill C-10. The Minister of Justice will know that Correctional Service Canada has a very large presence in the riding of Kingston and the Islands, and roughly 2,000 people are employed by Correctional Service Canada in the Kingston area.

I believe it is very unjust to the people of Kingston and the Islands for the government to invoke closure yet again on this particular bill—

● (1545)

**The Deputy Speaker:** Order. I will allow each member about a minute and a half in order to give time to all members to speak if they so choose.

The hon. Minister of Justice.

**Hon. Rob Nicholson:** Madam Speaker, the hon. member certainly has had an opportunity. This bill has been around in Parliament. We introduced it immediately after coming back into session this fall.

I did point out that the Liberals used to support the bill, but to be fair to the Liberals, they have two positions on every issue. They are for free trade, they are against free trade; they want to be tough on crime, they want to be soft on crime. I appreciate that and I do not want to the cloud the issue.

To be fair to the hon. member, he was not here when his colleagues were cheering us on and allowed us to get that bill passed out of the House of Commons. To put it in context, most of those MPs have been defeated now. Remaining members in the Liberal Party have come up with their own plan.

That said, in some cases these issues have been before the Canadian people for a number of years. We are probably heading towards some kind of a record for the number of speeches and the number of witnesses.

The hon. member should at least get up on his feet. Let us be fair; we want to agree on certain things, but it does not matter: if we had another thousand days of debate, he would still be opposing this bill.

My members all support the bill. Whether it is one day or 100 days, we support this bill, because it is the right thing to do.

**Ms. Chris Charlton (Hamilton Mountain, NDP):** Madam Speaker, it is interesting: I listened to the answer that the minister gave to the hon. member for Windsor—Tecumseh, and instead of talking about what is before the House, which is a guillotine motion, a motion to kill further debate in this House, he responded on substance.

In fact, I would agree with him. He wants to talk about substance; we also want to talk about the substance of the bill. That is precisely the issue that is bringing us to this point here today.

I want to remind the minister of this quote:

We have closure today precisely because there is no deadline and there are no plans. Instead of having deadlines, plans and goals, we must insist on moving forward because the government is simply increasingly embarrassed by the state of the debate and it needs to move on.

Who said that? It was the Prime Minister, who was then Leader of the Opposition, on December 9, 2002.

I would agree with the Prime Minister. As he then said, the government is embarrassed, and it ought to be embarrassed, because in fact the government itself moved six further amendments to the bill. We should be debating the bill, because clearly there are flaws and the government has agreed there are flaws. The bill merits further study.

**Hon. Rob Nicholson:** Madam Speaker, that is a bunch of nonsense.



### *Government Orders*

One thing I can say categorically is that all the members of this Conservative government are 100% supportive of our crackdown on drug traffickers and people who molest children. I do not know where the member is getting comments like that, but we are very proud to be associated with this piece of legislation.

I appreciate that the NDP members would like to talk about process and do not want to talk about substance. That was actually a very frank admission on their part, and I do not blame them. When those members go back to British Columbia, it is probably a little hard to start explaining to people that they do not want to crack down on people who bring drugs into this country. Everywhere else in Canada, when people start talking about the problems that children have from adult sexual predators, those members will not want say that they are not going to support tougher measures on that, and they will want to change the topic. The NDP members want to talk about process, and I understand that.

They are completely wrong. I completely disagree with them. I agree with all of my colleagues in the Conservative Party, who are enthusiastically supportive of every measure in this bill.

**Mr. Gary Schellenberger (Perth—Wellington, CPC):** Madam Speaker, over the past weekend, on my way home last Friday, I did an interview with our local paper on Bill C-10. The article came out on Saturday. On Sunday at church I had already had two calls to my house, and very seldom do I ever get a call on an article.

On Sunday after church, a couple I respect very highly took me aside. They do not talk business at church, but the gentleman said “Gary, I’d just like to say thank you so much for standing up for the victims and standing up for people. I think this bill should go through right quickly”. He said he recognized he was doing business after church, but he wanted to thank me for getting this bill through.

With that, I would like to ask the minister if he has had any responses like that?

• (1550)

**Hon. Rob Nicholson:** Madam Speaker, it sounds as though the member was doing the right kind of business after church. I congratulate him for that.

Yes, we discuss these issues on a regular basis with victims. When we introduced the bill and the various components of it, I have been very proud to stand with those victims. I indicate to them that they have a friend in the members of this government and that their interests have come to the forefront and are a priority.

We stand with those victims and those law-abiding Canadians who have genuine concerns. We are very proud to stand with them and support their efforts.

[Translation]

**Ms. Françoise Boivin (Gatineau, NDP):** Madam Speaker, everyone on this side of the House also wants to see justice for the victims and wants to see that those committing crimes in this country are given the right sentences. However, the only thing I am unable to tell Quebecers and Canadians is that we are certain that Bill C-10 will have the effect the government is after.

I am unable to say so because ever since Bill C-10 was introduced and ever since my election on May 2, 2011, the government has

done nothing but focus on getting everything passed as quickly as possible. There is no time for us to debate. I know what I am talking about. I was in that committee, and we had to fight for hours just to get clause-by-clause consideration of this infamous bill.

Three of these nine acts had never been studied. Witnesses came and went at lightning speed. People came from the Canadian Bar Association and the Barreau du Québec, but we did not get to ask them all our questions. They continue to write to me to decry this problem and it is not—

**The Deputy Speaker:** Order. I did say I was going to give roughly a minute and a half to each hon. member to allow everyone who wants to ask questions to do so.

[English]

**Hon. Rob Nicholson:** Madam Speaker, I wish the hon. member would just be absolutely frank. There is no amount of debate and no amount of explanation that would cause the NDP members to change their minds and not oppose every single element of this bill.

They have a record in this particular area. They say they want to support victims; I say they can start supporting victims by supporting legislation like this, the legislation that we have before this Parliament.

However, I hear the same thing from over there. They say they want to do this; well, then, they should just do it. They should start supporting bills like Bill C-10 and legislation that this government has been introducing since 2006. Every one of those bills stands up for victims in this country and is doing the right things to protect Canadians.

The NDP should get on board, just for a change, and mix it up.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Madam Speaker, the minister needs to have a reality check.

What we are really debating is that the government has brought in an omnibus bill that could have very easily been eight or nine separate pieces of legislation. Now, today, we have a motion that will restrict debate to two days on this very important piece of legislation that could have been eight or nine bills.

It is not good enough for the minister to say that we are going to vote against it anyway, so we do not need the time to debate it. It is about respecting democracy. It is about respecting the procedures of this House to ensure that new members of this chamber, and others, are afforded the opportunity to hold the government accountable for the types of legislation it is bringing through.

This type of legislation is modeled after the Texas megaprisons. Many would suggest, including myself, that they want to fight to prevent crimes from taking place on our streets and in our communities. The bill will not do that, nor will it have the desired impact that the minister is telling the Canadian public.

Why is the minister trying to limit debate and limit questions on this very important issue?

• (1555)

**Hon. Rob Nicholson:** Madam Speaker, we had the greatest debate in the world. It was called the election of 2011.

*Government Orders*

The Liberals were very clear that they would oppose and fight the Conservatives on our crime agenda. I noticed that the interim leader, just after he got the job, was asked what his priorities were going to be; he named two of them, and one was that the Liberals were going to continue to fight the Conservatives on crime.

I ask the hon. member how that is working out for them down there. Have they noticed anything in the last four elections?

They are consistently all over the place. At times when they thought it was electorally significant or helpful to them, they switched sides. They supported the drug bill, but they are back to where they belong, which is opposing these bills. Somewhere along the line, before they get down to two seats, I think they are going to stop and say, "Just a second; I think we are making a mistake".

We have been very clear with Canadians. We put this in our election platform for four straight elections. We keep getting a better response and better support from the Canadian people, and I am very grateful for that.

**Hon. Andrew Cash (Davenport, NDP):** Madam Speaker, a couple of minutes ago the minister opposite misled the House. It is not true that New Democrats did not support every element of this bill; in fact, we stood in the House and moved a motion that would expedite the passing of the part of the bill that would protect children from sexual predators. The minister needs to stand and correct the record.

**Hon. Rob Nicholson:** Madam Speaker, we have tried that. We have introduced these bills individually, and we always heard from the NDP that they needed more study and that amendments were needed.

I get told by New Democrats over and over again that they do not support mandatory minimums; well, the entire section with respect to those who molest children has mandatory minimums right across the board. If they suddenly now want to start supporting these things, I would tell them it is a little late. They should get on their feet and start supporting what we are doing right now. They will better protect children that way.

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Madam Speaker, this bill is flawed. All parties know it, including the Conservatives. They actually tried to move some amendments. Those amendments were ruled out of order, but it showed that even the Conservative benches realize there is a need to debate this bill. Instead of taking the time to debate it, they have tried to move closure and time allocation.

I have a quote from the Minister of Public Safety, Vic Toews, on November 27, 2001—

**The Deputy Speaker:** I believe the hon. member will correct her words.

**Ms. Jinny Jogindera Sims:** I apologize to the minister, Madam Speaker.

What he said was this:

For the government to bring in closure and time allocation is wrong. It sends out the wrong message to the people of Canada. It tells the people of Canada that the government is afraid of debate, afraid of discussion and afraid of publicly justifying the steps it has taken.

I would urge the government not to live up to this hypocrisy.

**Hon. Vic Toews (Minister of Public Safety, CPC):** Madam Speaker, I want to indicate that I wholeheartedly support the efforts of the Minister of Justice in bringing forward this bill. Many of the provisions contained in the bill are in fact from the public safety portfolio.

The comments I made at that time were perfectly understandable in the context, which was that there had been no debate, but we have been debating these provisions for years. For four elections we have been very clear on where the government stood on the issue of crime. The NDP and the Liberals opposed our position, but we have made it clear. I am very pleased that this bill is moving ahead in the manner that it is.

I might say in closing that I find it very interesting that when the government does not accept any amendments, it is portrayed as closed-minded, but when it puts amendments forward, it is portrayed as indecisive. Certain amendments were in fact put forward; they were ruled out of order, and I respect the decision of the Speaker. Now it is time to move along with the motion.

• (1600)

**The Deputy Speaker:** I see that some members on the government side appear a little frustrated. Just to repeat the words of the Speaker before he left, the purpose of this 30-minute question period is to question the government on its use of time allocation, although members of the government will be recognized, and I will do that appropriately.

The hon. Parliamentary Secretary to the Minister of National Revenue.

**Mrs. Cathy McLeod (Parliamentary Secretary to the Minister of National Revenue, CPC):** Madam Speaker, I want to talk about something that happened in my riding last week that was reported on the front page of our local newspaper.

There was a big article on a sexual predator who had been released. He kidnapped someone and abused this person. It was a horrific incident in our community. Right below that was an article on the little protest at my office where a few people showed up with signs protesting against Bill C-10.

Many people called me and said that this fellow was out and he should not have been as he was high risk to reoffend. They said, "Look what he has done to this person in our community".

I would like to ask the justice minister, why is it important? Why can we not spend the next five to six months debating this legislation? Why do we need to move forward and act now?

**Hon. Rob Nicholson:** Madam Speaker, I can answer that. We want to better protect Canadians. This is what it is all about.

With respect to better protecting children, there are two new offences. It would become an offence in Canada for two adults to conspire with each other to lure a child. That closes a gap that existed in our Criminal Code. Also, for the adult who provides explicitly sexual material to a child for the purpose of grooming that child, we would make that an offence. Again, better protecting children is what this party and this government is all about.



### Government Orders

Members will remember that we better protect now 14 and 15-year-olds from adult sexual predators. This is all part of our process to better protect children in this country.

[Translation]

**Mr. Robert Aubin (Trois-Rivières, NDP):** Madam Speaker, I would like to begin by reminding the House of what former Speaker Fraser said, and I quote:

It is essential to our democratic system [and I would like to emphasize the word "democratic"] that controversial issues [if ever there was a controversial issue, this is one of them] should be debated at reasonable length so that every reasonable opportunity shall be available to hear the arguments pro and con...

I am part of the wave of new members who were not here during the previous Parliament. Believe me, I am not the only greenhorn in this House. I am a spokesperson, a voice if you will, for an entire population that thinks differently than those who voted for the Conservatives. I respect their ideology, but if there is a time and a place for debate and for all Canadians to be heard, it is here in this House.

In addition to being against the Conservative measure, I think we are also facing a clear denial of democracy.

[English]

**Hon. Rob Nicholson:** Madam Speaker, I am not quite sure how much time the hon. member needs, but if he did not get an opportunity to speak at second reading, then I would urge him to talk to the House leader of the New Democrat Party, its whip, or whoever handles these things, and indicate to them that he would be interested in speaking.

I accommodate, as does the government House leader and our whip, members of our political party who want to speak on these things. Yes, some members have been around for many years, but we are very sensitive to new members. If they wanted to participate in this debate, we have been very accommodating. I think that is very fair. I wish the member well and I hope he gets his request to his party officials.

• (1605)

[Translation]

**Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP):** Madam Speaker, what I just heard is very upsetting and disappointing. There are no words to describe it.

This Conservative government is undemocratic. It could not care less about the opinions of Canadians. Yes, there is the issue of our role as legislators, but it goes beyond the debates in this House. There is also the role of the media. How will they examine bills if a new bill can bury the previous one, which we have not even finished examining? The media, externally, and legislators both have roles to play. This is merely a tactic to prevent us from raising the issues we see in the government's bills. It has to be changed.

[English]

**Hon. Rob Nicholson:** Madam Speaker, these issues have been with us for quite some time, going back at least four years with the major component of the bill which deals with drug traffickers, the people who bring drugs into this country, the people who like to sell drugs around schoolyards and to children, the people who ship drugs

out of this country, and the people who are in the grow op business for the purposes of trafficking.

These issues have been around for four years. I respect the fact that so many of the opposition members oppose that. There are less of them after each election, but nonetheless the ones who are still here oppose that. That certainly is their right. They have the right to stand and complain, and say they oppose them. I understand that. I completely disagree with them and I am very pleased that the Canadian people disagree with them as well.

**Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP):** Madam Speaker, I will begin with a quote:

Also, the government invoked closure to impose the legislation, Bill C-49, and which imposed the tax. These things do not build confidence with Canadians. The government also has a lack of respect for free votes in this place and the treatment of private members' bill. It has a lack of commitment to a democratically elected Senate. It has muzzled politically free speech for their own backbenchers...There are also countless other examples and they do not build the confidence of Canadians.

Who said this? It was the Minister of Canadian Heritage and the quote comes from *Hansard*.

I ask the minister, why is the government continuing to muzzle Canadians by not allowing debate in the House, not allowing debate at committees, and not allowing for—

**The Deputy Speaker:** The hon. Minister of Justice.

**Hon. Rob Nicholson:** Madam Speaker, we have encouraged debate. Every time the opposition parties, in the last five years, got together and forced an election on the Government of Canada, we had this discussion. We made it very clear to Canadians this is where we are going. We said if we are given a mandate, we will bring in these measures to get tough against those individuals, such as violent criminals, pedophiles and drug dealers. We will get tough with them. We will continue to keep moving the legislation along.

It is one thing for opposition members to call and force an election, but then they say they do not like what they heard, they want to change that. Well, the Canadian people have spoken loudly and clearly.

[Translation]

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Madam Speaker, the debate is far from over. The proof is that many amendments will be presented this evening.

The Bloc Québécois's amendments are directly related to what the Quebec justice minister came to Ottawa to ask for. Canada's Minister of Justice knows very well that, in Quebec, we have developed long-term protection of the public. Everyone supports protection of the public. Everyone supports fair and severe sentences when someone commits a crime. However, the concept of rehabilitation seems to have been completely overlooked by the Conservative government, which did not listen to the Quebec justice minister. I do not understand why, once again, debate in Parliament is being muzzled.

Once again, why can the minister not accept that, in Quebec, we have a vision for the long-term protection of the public, as presented by the Quebec justice minister?

[English]

**Hon. Rob Nicholson:** Madam Speaker, I am very pleased when I see polls. The Leger marketing poll said that over 70% of Quebecers are supportive of our crime agenda. I am very appreciative of that and I listen to my provincial counterparts very clearly. Indeed, one of the amendments that is contained within the bill is wording that was suggested to us by the minister of justice for Quebec. Indeed, I was very pleased with previous attorneys general from Quebec for their contributions with respect to a wide range of bills.

Again, these bills have been before Parliament and the Canadian public has spoken very clearly. The bill will better protect children, law-abiding Canadians, and give a greater voice to victims. This is a good piece of legislation. Canada will be better off for it.

• (1610)

[Translation]

**The Deputy Speaker:** It is my duty to interrupt the proceedings at this time and put forthwith the question on the motion now before the House.

The question is on the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Deputy Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Deputy Speaker:** All those opposed please say nay.

**Some hon. members:** Nay.

**The Deputy Speaker:** In my opinion, the yeas have it.

*And five or more members having risen:*

**The Deputy Speaker:** Call in the members.

• (1650)

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 80)

## YEAS

### Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Bateman
Benoit	Bernier
Bezan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Butt	Calandra
Calkins	Cannan

Carmichael	Carrie
Chisu	Chong
Clarke	Clement
Davidson	Del Mastro
Devolin	Dreeshen
Duncan (Vancouver Island North)	Dykstra
Fantino	Fast
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)
Fletcher	Galipeau
Gallant	Gill
Glover	Goguen
Goldring	Gosal
Gourde	Grewal
Harper	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Hoepfner
Holder	James
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Kent	Kerr
Kornaricki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Lee
Leitch	Lemieux
Leung	Lizon
Lobb	Lukowski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
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Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	O'Neill Gordon
Obhrai	Oliver
Opitz	Payne
Penashue	Poilievre
Preston	Raitt
Rajotte	Rathgeber
Reid	Rempel
Richards	Richardson
Rickford	Saxton
Schellenberger	Seebach
Shea	Shipley
Shory	Smith
Sopuck	Sorenson
Stanton	Storseth
Strahl	Sweet
Tilson	Toet
Toews	Trost
Trottier	Truppe
Tweed	Uppal
Van Kesteren	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to
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Cassey
Charlton
Chisholm
Chow
Cleary
Comartin



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Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Day	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dussault	Easter
Eyking	Foote
Freeman	Garneau
Genest	Genest-Jourdain
Giguère	Godin
Goodale	Gravelle
Grogulé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hsu
Hughes	Hyer
Jacob	Julian
Karygiannis	Kellway
Lamoureux	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McCallum	McGuinty
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Murray	Nantel
Nicholls	Nunetz-Melo
Pacetti	Papillon
Patry	Péclét
Perreault	Pilon
Plamondon	Quach
Rafferty	Ravignat
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Sgro	Simms (Bonavista—Gander—Grand Falls—Wind-
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## PAIRED

Nil

**The Speaker:** I declare the motion carried.

[English]

I wish to inform the House that because of the proceedings in the time allocation motion, government orders will be extended by 30 minutes.

[Translation]

It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Cape Breton—Canso, Employment Insurance; the hon. member for Vaudreuil-Soulanges, Ethics; the hon. member for Rimouski-Neigette—Témiscouata—Les Basques, Canada Revenue Agency.

[English]

**Ms. Olivia Chow:** Mr. Speaker, I rise on a point of order. Today at 4:00, the Minister of Transport, Infrastructure and Communities was to come and defend his estimates before the transport committee. Because of this closure motion, the chair of the transport committee, without any consultation with other members of Parliament, cancelled the meeting.

As you know, Mr. Speaker, the estimates have to come back to the House of Commons some time next week for a final decision. As a result, the transport committee may not have a chance to have the minister come and defend his estimates. I ask that you assist us to find some way, perhaps by working with the chair of the standing committee, to ensure that the estimates appear before the transport committee and that we do have a chance to ask the Minister of Transport, Infrastructure and Communities some questions.

• (1655)

**Mr. Merv Tweed:** Mr. Speaker, I made the decision simply because we knew the vote was coming, and the time was not determined prior to the meeting. I have made a request to the minister's office to appear before the committee. I am waiting to hear back from the department.

**The Speaker:** I am sure the committee will be able to sort this out.

## REPORT STAGE

The House resumed from November 29 consideration of Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, as reported (with amendments) from the committee, and of the motions in Group No. 1.

**The Speaker:** Order. I will just ask all hon. colleagues who may wish to carry on conversations to do so outside the chamber so that the House can continue on with debate.

The hon. member for Halifax has six minutes left.

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, last night when I was speaking to this bill, I was trying to make the links between our spending on the War of 1812 at a time when freed slaves came to Canada and formed our African Nova Scotian population, and an omnibus crime bill that is going to send more people to prisons when—

**The Deputy Speaker:** I would like to ask the House for a little order, please. I would ask members to take their conversations to the lobbies. Order, please.

The hon. member for Halifax.

**Ms. Megan Leslie:** Madam Speaker, the links between the War of 1812 and freed slaves coming to Canada is the fact that we have an omnibus crime bill that will send more people to prison, where African Nova Scotians and African Canadians are already disproportionately represented.

I want an omnibus crime bill that is full of measures that actually combat crime. How about an omnibus bill that is full of reforms for education, housing, training programs and real justice reforms?

As I mentioned, last night when I was at the Cornwallis Street Baptist Church, El Jones read a poem that sort of got these ideas in my head. I thought I would never be able to say it better than El Jones, so I would like to read into the record an excerpt from the poem she read at that service. I would never try to appropriate her voice, but I want to share her words with my colleagues in the House. The excerpt is as follows:

It wasn't that he was special  
 There is nothing detectable in his origins  
 That make him better than anyone present  
 The lesson is that we should be skeptical when they tell us  
 That we were not born to be successful  
 Born of a hardworking shoemaker and a mama who was respectable  
 His life seems a familiar spectacle  
 Began his education just down on Maynard Street in 1882  
 Which goes to show the youth that there is nothing they can't do  
 Look at the life of this man who was just like you.  
 And lord knows how hard we have to struggle  
 We're still getting half as much and having to work double  
 James Robinson Johnston had all the same troubles.  
 He wasn't the first black to go to Dalhousie but he was the first to finish  
 And I don't know but I can imagine that he could have won a Guinness world record  
 For all the racism he endured but he refused to be diminished.  
 And we're still living with the same issues impeding our progress  
 Still the only black faces still not enough black professors  
 Still feeling like temporary guests and being questioned about our presence  
 Because just this September I heard a black student say  
 This place just isn't welcome for us. Imagine more than a century before us  
 No black student center, no blacks on campus to act as his mentor  
 At a time when achieving even an elementary education was eventful  
 It's amazing to me that anyone entered and not only did he come back semester after semester  
 He ended up in law school. This ancestor did not allow himself to be rejected.  
 Look at our people so often neglected  
 And said let me represent them.  
 And it was bigger than just securing his own status  
 In our fight for acceptance he took us all up the ladder  
 Because now no-one could say they just don't have the talent  
 Saw a need in our communities and jumped into the battle  
 And this brother was doing it in English and Latin  
 So don't let them ever tell you that the same dreams can't happen.  
 And I wouldn't be surprised if they spat in his face  
 But James Robinson Johnston remained on the case  
 And he never forgot the community in his practice.  
 So many of our leaders turn their backs and try to fatten their wallets  
 He fought for the people who no-one thought mattered.  
 [...]  
 And maybe it was tough to be happy struggling so hard to succeed  
 And it can't have been easy always being the token only  
 Who knows of the pressures that must have left him lonely.  
 But history teaches us that in the present we learn from back then  
 When the biggest cause of death for young black men is from other black men  
 And so the lesson I take from his life is something essential  
 No matter what your condition you have so much potential  
 Remember so many black men who die how he died  
 Could have lived the same credentials  
 So let's stop being content with being told we belong in the basement  
 Our life is not defined by some predestination  
 In fact James Robinson Johnston show us that it's full of surprises  
 So we need to keep fighting for programs that build on his foundations  
 Like the Transition Year Program that guides us to university education  
 So let's commit to expanding its classes so more can participate  
 And let's not rest until we have a zero per cent drop out rate  
 And let's create the IB&M program in every school across the nation  
 Because we need black lawyers and judges to advocate for us  
 Reforming the courts where we are disproportionately jailed  
 And let's not rest on our laurels until we've fought against all discrimination  
 Let's make sure we have black students graduating in force from every university  
 And that they feel supported  
 And let's see us excelling in more than music and sports  
 So let's start fundraising for black studies courses  
 So our youth can learn about people like James Robinson Johnston  
 People like them whose histories deserve to be explored  
 And let's export that knowledge to every elementary, junior high and high school  
 Until our youth's pride in themselves is restored  
 Let's have black teachers and professors and black members of the school board  
 And let's educate the first black mayor and the first black prime minister  
 Could be from right here.

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And let's stop pretending we can't afford to fund black organizations  
 Or reading programs or housing or daycares  
 With money from black taxpayers  
 Let's stop debating whether our needs are important  
 Because more than a century ago James Robinson Johnston taught us  
 That when we fight for ourselves our future lies before us  
 And so let's celebrate his life by moving his legacy forward  
 James Robinson Johnston, thank you for being there for us.

It is time to do what we know will actually prevent crime. Let us not lead just by locking our citizens up.

• (1700)

**Mr. Andrew Cash (Davenport, NDP):** Madam Speaker, I applaud my hon. colleague for an excellent speech.

The racialization of poverty in the country is atrocious. In communities in Toronto, the African Canadian communities are very concerned about Bill C-10 and what it will do to their communities. They are crying out for attention to issues of job creation, job training, education and opportunities like that.

Could my hon. colleague speak to why the government is refusing to listen to the overwhelming body of evidence that its plan will not reduce crime?

**Ms. Megan Leslie:** Madam Speaker, the government is not interested in evidence. If we look at Nova Scotia, my province, African Nova Scotians make up 4% of the population. They make up 8% of the poor population. That is double.

The Mi'kmaq, our first nations Canadians in Nova Scotia, make up 2% of the population, but they make up 4% of the poor population. Again, that is double.

When we go into the prisons in Nova Scotia, I can tell members who they will see there. It is our first nations citizens and African Nova Scotians. It is the people who come from poverty and who live in communities with so many social problems.

Instead of actually trying to address those social problems and prevent crime from happening, we are just locking people up. That is not the solution by any stretch of the imagination.

Time and time again we have experts who come in and say, "That is not the way to do it". They are ignored because the government is not interested in evidence. It is just interested in a crime and punishment agenda.

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Madam Speaker, I have another example of how every time we try to increase punishments we end up disproportionately punishing disadvantaged groups in society.

For example, if we look at what has happened in the last couple of years when we got rid of the two for one credit for time spent in remand, this disproportionately affected aboriginal people. If we look at the last couple of years, the average sentence lengths for aboriginal people have increased from about 1,200 to 1,280, whereas the average sentence lengths for everyone else have not changed much at all.



### *Government Orders*

That is an example of where a change in the law to increase the length of prison sentences has tended to disproportionately affect disadvantage groups. Aboriginal prisoners get longer sentences now compared to a couple of years ago. That is not true of everybody else. Therefore, they are being discriminated against.

• (1705)

**Ms. Megan Leslie:** Madam Speaker, I completely agree with the member. This is about racialization and poverty. This is about criminalization of race.

I had the opportunity at home to visit a youth program for young people who were in conflict with the law. A number of youth that were in the room came from racialized communities.

There was a young man who said to me, "You know, growing up my uncle sold rock on the corner and my friends did and my dad did, and that is all I have ever known, so what will I do when I become an adult? That's what I did. I sold rock on the corner". He said, "I didn't know that I could get a job, that I could build a resume, that I could apply. I didn't have the skills".

He was in this program and he looked me in the eye and said, "If there were more programs like this for people like me when I needed them, I wouldn't have gone to jail because I would have gotten a legit job so that I could support my girlfriend and my daughter". He said that. This is a young man who was in one of these programs who said, "I didn't know what to do other than sell drugs".

It is not rocket science to figure out how to solve a problem like that.

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Madam Speaker, I am pleased to have this opportunity to join the debate today on Bill C-10.

Canada's immigration system plays an important role in meeting the needs of our economy. That is because immigrants bring with them the skills that our economy needs.

The temporary foreign worker program helps employers fill short-term needs when suitable Canadian candidates are not available. A common misconception is that temporary workers are only hired to fill low skilled positions. However, if we look closely at the numbers, we find that the majority enter the workforce in professional, managerial or trade occupations.

In 2010 more than 67,500 temporary foreign workers were issued work permits.

**The Deputy Speaker:** Order, please. The hon. member for Nanaimo—Cowichan is rising on a point of order.

**Ms. Jean Crowder:** Madam Speaker, I just want to clarify. We are talking about Bill C-10, the omnibus crime bill, are we not?

**The Deputy Speaker:** We are indeed debating Bill C-10. I am sure the hon. member for Kildonan—St. Paul will come to her point.

**Mrs. Joy Smith:** Madam Speaker, indeed, we are talking about Bill C-10, and we are talking about the temporary foreign worker program around Bill C-10.

In 2010 more than 67,500 temporary foreign workers were issued work permits for high skilled occupations. Among these, more than 21,000 work permits were issued to workers under international

agreements, such as the North American free trade agreement. With regard to lower skilled occupations, just over 50,600, just over one-quarter, were admitted to fill vacancies in positions which included live-in caregivers and seasonal agricultural workers.

Given the diversity of fields for which temporary foreign workers are hired, their importance to the Canadian economy cannot be overstated. We know that many workers take great risks in leaving their homes to travel to Canada to work, and for that they should be rewarded, not punished.

Some temporary foreign workers may have weak language skills and very little money. They may have no family or friends in Canada. They may also fear the police and government. With no one to turn to, this can make them more vulnerable to abuse than other workers.

For those people who are applying to enter our country as temporary foreign workers, Canada represents a new start, but some of these workers' hopes for a new future are extinguished by those who seek to manipulate their vulnerable situation.

Canadians gave us a strong mandate to keep our streets and communities safe by getting tough on crime. This includes preventing crime and exploitation of vulnerable people, both locally and nationally. We made a campaign commitment and we are ready to honour that commitment.

Unfortunately, the opposition does not feel the same way. I guess that is why I was just interrupted. Instead, it has chosen to delay this bill and delay the protection of vulnerable people at home and abroad. The opposition should stop its shameful delay of this bill and help our government prevent human smuggling and the exploitation of vulnerable foreign workers. That is where Bill C-10 comes in.

By introducing the safe streets and communities act, our government is sending a clear message that we will not let the valuable be exploited. That is why we have introduced changes to ensure that the temporary foreign worker program continues to meet short-term labour shortages while strengthening protections for these workers.

Employers seeking to hire temporary foreign workers, including live-in caregivers, are now assessed against compliance with program requirements before authorization to hire them can be granted. What this means is that employers found to have violated workers' rights will be refused authorization. There was a clear need for clear regulations to better protect workers from poor treatment by employers who would mistreat them.

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Bill C-10 will help us to further protect vulnerable foreign workers. That is because this legislation grants immigration officers the authority to deny work permits to those who are at risk of humiliating and degrading treatment, including sexual exploitation. For example, while exotic dancing is a legal occupation in Canada, there are reports linking the exotic dancing industry with abuse and exploitation of its employees.

As the Minister of Citizenship and Immigration has said, there is a lot of evidence that many exotic dancers being brought in to work on temporary work permits are being managed by organized crime. These women are then exploited through coerced activity in the sex trade. The ability to deny work permits to vulnerable workers would enable the government to protect applicants by keeping them out of these types of situations.

Instructions would potentially address not only high risk work settings, but also characteristics that would make foreign workers particularly vulnerable to abuse and exploitation. For example, the minister might be aware of evidence suggesting that massage parlours are settings of high risk for the sexual exploitation of workers. At the same time, other characteristics might make some workers more vulnerable than others. Women workers might be at more risk than men. Also evidence might demonstrate that registered massage therapists are less likely to be victimized than those with no qualifications.

The instructions would not target specific work permit applicants directly, rather they would apply to applicants of a particular occupation or a group of applicants who can be identified as vulnerable to abuse or exploitation. As I said, ministerial instructions would be based on objective evidence that clearly outlined an identified risk of abuse or exploitation. Ministerial instructions would also be published in the annual report to Parliament and in the *Canada Gazette*.

• (1710)

Given these parameters, it is very clear that these amendments stand on the principles of openness and accountability.

I want to assure the House that the legislation includes many checks and balances to ensure that the ministerial instructions are applied objectively. Immigration officers would need to apply the instructions issued by the minister on a case-by-case basis and each application for a work permit would be assessed on its own merits. Any decision to refuse a permit would need to be supported by evidence that showed a risk of humiliating or degrading treatment. Also, any decision by an immigration officer to refuse a work permit in Canada would require the concurrence of a second immigration officer. Should individuals be refused, it would be possible that they would be granted a work permit if they applied to come to Canada to work in another occupation or a different situation that would not pose the same risk.

Without these amendments, Citizenship and Immigration Canada would have no discretionary authority to deny a work permit to someone who met all the requirements to enter Canada, even if the immigration officers believed there was a strong possibility of exploitation and abuse. It would be highly irresponsible for the Conservative government to continue to admit temporary foreign workers to work in such abusive situations.

As the government, it is our responsibility to ensure that people who come to Canada can pursue their new lives without fear for their safety. Bill C-10 would help us protect vulnerable foreign workers so they could achieve their dream of a new future. That is why, in the beginning of my speech, I had to go over the premise of foreign workers and why it was so important to protect these most vulnerable people, especially when they would be in professions or situations that could lead to very strong exploitation, especially, sexual exploitation and forced labour.

• (1715)

[Translation]

**Ms. Françoise Boivin (Gatineau, NDP):** Madam Speaker, I appreciated the speech of the member opposite.

Certainly, everyone is against the exploitation of foreign workers; however, the problem with the bill as it stands is that many of its provisions are too vague and leave a lot of things to the discretion of officers. This is what experts from both the Canadian Bar Association and the Barreau du Québec have said. A review of the officer's decision is then conducted by another officer. We, on this side of the House, in our great wisdom, proposed that the review be conducted by an arbitrator or someone who is more independent than a person working in the same unit. And I am not even mentioning the broad discretionary authority given to the minister.

I would like the hon. member to try to reassure us because, given that the Conservatives have rejected all the amendments, we are left with a bit of a bad taste in our mouths; it seems that the provisions, as they now stand, will not resolve the problem.

[English]

**Mrs. Joy Smith:** Madam Speaker, rest assured Bill C-10 and the foreign worker piece would address an issue that is really hitting our country hard. At the present time, workers at the border, the border people, when they know someone is vulnerable, have no tools to use to prevent these people from coming in and being exploited. They are highly trained. It is not done very quickly. It is done very carefully, with two of the officers in consultation to make this happen. Therefore, this will protect our vulnerable workers.

[Translation]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Madam Speaker, I thank the Conservative member for her speech.

I am particularly touched by the fact that she is concerned about the exploitation of workers. Since I have over 10 years of experience working in human rights and the union movement, the topics of abuse and harsh treatment by employers worry me and worry the entire NDP caucus. We are very sensitive to these issues.



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This also highlights one of the problems with the omnibus Bill C-10. This omnibus bill has become a sort of an indigestible mess, because it tries to address too many issues and topics that are not at all related. We are forced to take it all and swallow it whole. That is one of our problems with this bill.

I would like my colleague to explain why the Conservatives are saying that we need more prisons, when it has no studies to support this claim and when serious crime is on the decline.

[English]

**Mrs. Joy Smith:** Madam Speaker, in actual fact the legislation has been debated but not passed in previous sessions of Parliament. To reassure the member opposite, this piece was first introduced on May 16, 2007. It was tabled a second time on November 1, 2007, a third time on June 17, 2009, and a fourth time on November 19, 2010.

It is time that these bills are put together to get them through Parliament to protect not only vulnerable workers, but to ensure our Canadian citizens are safe.

**Mr. Bob Zimmer (Prince George—Peace River, CPC):** Madam Speaker, we have heard the opposition complain about us using time allocation for this argument. My colleague mentioned the urgency with which this needs to happen to help those people about whom she is concerned.

Could she explain why we want to get the bill through as soon as possible?

• (1720)

**Mrs. Joy Smith:** Madam Speaker, the pieces of Bill C-10 have been debated over and over again in the House. The difference is everything has been put together in one bill. It is very urgent. Why? Because our Canadian citizens need to be protected. Not only that, but we have a responsibility for those coming across our borders from other countries. It is our responsibility to ensure people coming through our borders are safe. That is why the piece for our vulnerable workers is in the bill.

**Mr. Don Davies (Vancouver Kingsway, NDP):** Madam Speaker, once again it is a privilege to rise to speak to this critical legislation before the House. I would say it is a pleasure, but considering the contents of the bill and what I think it will do not only to our country but to our community safety in Canada, I cannot, in all conscience, say that.

I will start by addressing the procedure by which the bill is being introduced in the House.

I have heard members on the opposite side continually try to justify ramming through the legislation. For Canadians watching, they should know that this is an omnibus bill. The government has packaged together nine separate pieces of legislation and thrown it into one bill before the House. As if that is not enough, the government has imposed limits on the ability of Parliament to examine the bills in detail by bringing in closure, which limits debate.

The members of the government have tried to justify this by saying that this has been debated in previous Parliaments. I will pause for a moment to say how fundamentally undemocratic that position is.

Each election Canadians go to the polls to elect a different Parliament. Many members in the House were not present in the previous Parliament. Citizens in their ridings elected members to come to the House because they were trusted to come here and examine the legislation, debate it, understand it and propose amendments.

For the government to deny those members that right, and by extension, to reject the choice of those Canadians who democratically chose those people to come here on their behalf is a fundamental rejection of the rights of Canadians to send a representative of their choice to Parliament. Those Canadians do not care what someone in a previous Parliament has said. Many of those members were defeated. Canadians care what current members in the House have to say about the legislation. The position of the government is fundamentally undemocratic.

I also want to point out what a turnaround this is from the old approach of the Conservatives on the invocation of closure. Through our research, we found dozens of references by the Prime Minister when he was in opposition on the use of closure by government, which he opposed.

This is what the former minister of public safety, Stockwell Day, said in the House:

A columnist wrote something interesting today. He wrote that in his view the decision to invoke closure on the bill represented in some ways the death of the true meaning of parliament. Parliament is the ability to gather together as elected representatives to talk, discuss, debate and hopefully do things that can enrich the lives and in this case the safety and security of Canadians. The federal Liberal government has failed Canadians.

Yet today the Conservatives stand in the House and say, "That's okay, we can ram through a bill that's going to fundamentally change our country and we don't need to debate it". That is fundamentally wrong.

On the bill itself, our Parliament is poised to reshape Canada's criminal justice system in significant ways and, I would submit, Canada itself. With the omnibus so-called tough on criminals bill, we have a representation of the biggest change to our justice system in recent memory about to be undertaken and, once again, with very little debate.

I think we are all anticipating and participating in a watershed moment in Canadian history, and this matters. It matters for our safety and it matters for the kind of country we want Canada to be.

Surely one key test of a society is how we treat the most vulnerable and, even more important, sometimes how we treat the most despised. Justice policies offer a glimpse into the soul of a nation.

Without exception, I believe those of us who are charged with policy and practice care deeply about victims and their families. We want to prevent crime when we can, but we want to reduce the economic and human costs when we cannot.

I submit that policies and practices should be guided by the following three imperatives.

The first is public safety. In other words, what does the evidence tell us about what works to make our homes and streets safe?

The second is freedom. How do we ensure a measured response that protects our civil liberties, constrains the state and holds it accountable when our freedom is at stake?

• (1725)

Last is justice. What is a just, proportionate and humane punishment when a citizen is found guilty of a crime? Of course the system must adapt to changing times and new knowledge, but rates of crime and violence have been falling for about three decades. That does not permit complacency, nor does it suggest the need for a fundamental change of direction.

I want to put some facts before the House. The police reported crime rate, which measures the overall volume of crime in this country, continued its long-term downward trend in 2010, declining 5% from 2009. At the same time, the crime severity index, which measures the severity of crime, fell 6%. The national crime rate has been falling steadily for the past 20 years and it is now at its lowest level since 1973.

In 2010 police reported 7,200 fewer violent incidents than in the previous year. Theft under \$5,000, mischief and break-ins, relatively minor crimes, accounted for close to two-thirds of the almost \$1.7 million non-violent offences.

Alberta and British Columbia, the province that I hail from, reported the largest declines in crime in 2010. It fell 6% in both provinces. The crime severity index decreased by 8% in Alberta and 7% in British Columbia.

Police reported that nearly 153,000 youth 12 to 17 years of age were accused of a crime in 2010. That is 15,000 fewer than in the previous year. The youth crime rate, which measures the overall volume of crime committed by youth, declined by 7%.

We know that aboriginals are historically and disproportionately represented in our federal prisons, particularly aboriginal women. We know that 80% of offenders in our federal system right now suffer from an addiction. We know that mental illness is at alarming proportions in our federal prisons. People who are brain damaged, suffering from fetal alcohol spectrum disorder, low cognition, poorly educated, the addicted, the mentally ill of every single type, are populating our prisons.

I said this in my last speech and I will say it here today. I have done something that I dare say 95% of members in the House have not done. I have walked through the doors of 25 federal institutions in this country. I have talked to correctional officers, to wardens, to prison psychologists and to inmates. I have sat across the table from people doing life sentences. I have canvassed a cross-section of people who actually know what they are talking about in the prison system in this country. I have seen what kind of services are, and most importantly, what kind of services are not offered in our federal system.

I can tell members that this bill puts together an approach to crime that not only is expensive, that not only will cost Canadian taxpayers billions of dollars, but it will not make a single iota of difference in

terms of making our communities safer. The reason I say that is that it misses the mark.

Of course there are people who commit crimes and have to be locked away to protect the public. Of course there are some people in federal institutions who have to be locked up for their natural lives. However, the vast majority of people in our federal institutions are people who will be coming out. Over 90% of people in federal prisons today are going to come out.

What we need to do if we are truly interested in making sound policy in this country instead of playing to what I will call in a few minutes, junk politics, is to be making sure that we have adequate alcohol and drug treatment programs in prison, and we do not now. We need to make sure that we have vocational and occupational programs in our prisons, and we do not now. We need to make sure that we have adequate psychological, nursing and occupational therapy services in our prisons to deal with the real problems that our offenders are facing in prison, and we do not now.

The sum total of the bill is based on a concept that if we lock up more Canadians for longer periods of time in harsher conditions, it would make our country safer. I have stood in the House three times and challenged Conservative members opposite. I told them they have the resources of the Department of Justice and Public Safety Canada, that surely they have studied this issue.

• (1730)

Every society in the world suffers from crime. We have hundreds of examples to choose from. If we asked the Conservatives to name one country where this approach to crime has achieved a noticeable drop in crime, they would not be able to come up with one example.

Before we embark on a policy of spending billions of dollars, let us make sure that we can spend taxpayer dollars wisely and make sure it will actually make us safer. The bill does not do that.

**Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC):** Mr. Speaker, I believe that if you seek it you will find there is unanimous consent for the following motion. I move:

That, notwithstanding any Standing Order or usual practice of the House, at the conclusion of the debate at report stage, Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, Motions Nos. 1, 5, 35, 41, 51, 53, 62, 64 and 78 be deemed put and recorded divisions be deemed requested and deferred pursuant to Standing Order 76.1(8).

**The Acting Speaker (Mr. Bruce Stanton):** Is there unanimous consent of the House for the chief government whip to move the motion?

**Some hon. members:** Agreed.

**The Acting Speaker (Mr. Bruce Stanton):** The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.



*Government Orders*

(Motion agreed to)

**Mr. James Lunney (Nanaimo—Alberni, CPC):** Mr. Speaker, I appreciate my colleague's remarks. He is from British Columbia, as I am.

He remarked about crime steadily falling and he mentioned statistics to show how crime is steadily falling. I would like to draw to his attention the remarks from the Vancouver Board of Trade which, just a couple of years ago, said that crime was out of control in Vancouver. In fact just a couple of years ago Vancouver had more murders than Toronto did in the first quarter of the year.

When we are talking about the statistics, going back to a 2004 survey by Statistics Canada involving 24,000 Canadians, which is quite a pile, only 8% of sexual assaults, 29% of thefts and 54% of break-ins were reported. Overall, only a third of victims reported to police. Let us update that. In September 2010, there were 20,000 grow ops in homes just in the Lower Mainland of B.C., and thousands more in the countryside. Only 31% of victims overall said they reported the crimes. Overall, 71% of property crimes were not reported.

We have made it so difficult for police to report on these things and the consequences have been so minimal in the past that people have not bothered to report the crimes. What is with that?

**Mr. Don Davies:** Mr. Speaker, that brings up an oft-repeated theme I hear from the government side that yes, the statistics have been dropping for 25 years, but what about unreported crimes. The statistics on unreported crimes would say the same thing. There is no evidence to suggest that unreported crime has gone up in any significant manner.

My friend raised the issue of grow ops. Is there anything in the legislation before us that would actually do anything positive in terms of drug policy in this country? I would argue that it does not.

California has its "three strikes and you are out" policy. Mandatory minimum sentences have been used in California. The jails in California are stuffed mainly with people who have been convicted of drug offences. Has it made Californians safer? Has it decreased drug use in California? If my friend actually used an evidence-based system, he would look at those statistics and find out that it has not.

Adopting that same policy of having mandatory minimum sentences and locking up people for drug offences longer simply will not have any beneficial effect on the problem that he says he cares about.

• (1735)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, one of the concerns that we in the Liberal Party have expressed is that we want as much as possible to prevent crimes from taking place.

I appreciate the member's comments. I would be interested in hearing what he might have to say in regard to issues such as community policing and investing in resources at local community clubs.

Does he believe that will have more of an impact, as I believe and the Liberal Party believes, on preventing crime from taking place if

we put our investments in that as opposed to the mega-jails proposed by the government?

**Mr. Don Davies:** Mr. Speaker, I think my hon. colleague is right. Ironically, increasing incarceration costs lots of money. Imprisonment is expensive. That means there would be less money for those things that might make us truly safer, such as prevention, education and rehabilitation.

In many respects the dollars we spend on social policy are non-discretionary. The question is in what proportion are we going to allocate those dollars. There is nothing in this bill, the nine bills that are wrapped together, that would add one drug treatment counsellor, one nurse, or one occupational trainer to our prisons. I would argue that it is investing in those issues or investing in police. There is nothing in this bill that would put a single police officer on the street. I agree with my friend that they are very effectively employed in our communities. I have heard the Minister of Public Safety say, "If we put on more police and they arrest people, where are we going to put them?"

Having police on the beat in our communities is effective. It has a deterrent effect. When people see a police presence in their communities, it becomes less likely that kids or someone hanging around who might be considering breaking into a garage would do so. Actually delivering on the promise to add more police officers, as the NDP has called for in two successive elections and on which the government has not delivered, is a far more prudent and effective way to make our communities safer.

I am sorry to say that Bill C-10 would not add a single police officer in our country. Instead, we would spend billions of dollars on prisons. I would rather spend more money on prosecutors, judges and police and actually prevent the crime from happening in the first place.

**The Acting Speaker (Mr. Bruce Stanton):** Before I recognize the member for Scarborough Centre, I need to tell her that I will need to interrupt her at 15 minutes to the hour as this is the time allocated under government orders for the day.

The hon. member for Scarborough Centre.

**Ms. Roxanne James (Scarborough Centre, CPC):** Mr. Speaker, I rise in the House today to support Bill C-10.

As a member of the Standing Committee on Citizenship and Immigration, I will focus my remarks on the section of the bill that amends the Immigration and Refugee Protection Act in order to prevent human trafficking and to curtail the abuse and exploitation of vulnerable foreign workers.

These measures will improve upon an immigration system that is already the envy of the world and one that is vital to Canada's future. Before I speak about the particular measures in Bill C-10, it is important to specify exactly what I mean by that.

The benefits of immigration are undeniable and immense. This country was built by immigrants. Indeed, a great many of us serving this House are either immigrants ourselves or the children or grandchildren of immigrants.

For people the world over, Canada represents a great beacon of hope. Last year, Ipsos conducted a global poll of OECD countries and found that about two billion people in those countries alone said they would like to come to our country, Canada.

Those who come to Canada from other places, either permanently as immigrants or for a set period of time as temporary workers, bring their unique skills and talents to our shores. They enrich and strengthen our local communities, our social fabric and the economic development of our great country.

Because an effective and strong immigration system is central to a strong economy, the government has taken measures in recent years to ensure that our immigration system responds to Canada's labour market needs. Those measures have been undeniably quite successful.

In the last five years, Canada has seen the highest sustained level of immigration in nearly a century. Most of that increase has come from skilled economic immigrants and their families.

Canadians understand how important it is for our economic well-being to continue to bring newcomers into this country. They also understand that another great economic benefit to Canada comes from bringing in temporary foreign workers with skills that fill important requirements in our labour market. To manage this, Canadians want an immigration system that conforms to our shared democratic values, an open and generous system, governed by the rule of law, that treats all potential immigrants and temporary foreign workers with equality and fairness.

Of course, along with the benefits to Canada of such an open system comes a responsibility to protect against the abuse and exploitation of that system. Each additional day that the opposition delays this bill is yet another day in which people may be smuggled to Canada and exploited and abused, and there is nothing that we as Canadians can do about it. Canada's immigration officials, from front-line visa officers to those tasked with making high-level decisions about potential newcomers to the country, need to have the proper tools both to safeguard the system from misuse and to protect vulnerable persons from exploitation.

In some cases the existing laws give officials the tools they need to carry out these specific duties. For example, we already have the legal ability to stop people with a prior criminal conviction from entering Canada. In other cases, loopholes still exist, allowing those with nefarious aims to exploit both the immigration system itself and also vulnerable people from other countries who wish to work in Canada.

Bill C-10 will supplement current legislative provisions by plugging that existing hole in the Immigration and Refugee Protection Act, a hole that currently puts vulnerable people at risk.

This was a campaign commitment in the most recent election, and our government is following through with our commitments. Canadians gave us a strong mandate to keep our streets and communities safe by getting tough on crime; this includes preventing crime and exploitation of vulnerable people both in Canada and abroad.

### *Government Orders*

Measures in this bill will give the Minister of Citizenship, Immigration and Multiculturalism the discretionary authority to use ministerial instructions to deny work permits to those temporary workers who are most susceptible to abuse or exploitation once they arrive in Canada.

What kinds of abuse and exploitation would these measures address? They include a great variety, ranging from the sexual exploitation of individuals trying to enter Canada to work in the adult entertainment business as exotic dancers through temporary workers at risk of becoming victims of human trafficking to low-skilled labourers vulnerable to humiliating and degrading treatment by their abusive employers.

• (1740)

There are many potential scenarios in which the measures included in this particular section of Bill C-10 would protect individuals who might otherwise face abuse and exploitation upon their arrival here in Canada.

What current provisions do not allow for is the refusal of work permits to people who may not face any obstacles under the current immigration laws but whose situation would make them more vulnerable to future abuse or exploitation. Bill C-10 would rectify this problem.

The amendments proposed in the bill would allow for a systematic process based on dispassionate evidence, transparent regulations and clear public policy objectives in making any decision about who would be refused entry to Canada because of potential abuse and exploitation.

Additionally, it is important to underline that Canada's immigration officers are among the most capable, professional and highly trained in the world. They are very skilled at recognizing applicants who are at risk. It does not make any sense to curb their ability to protect vulnerable applicants from potentially abusive situations, but unless we pass the measures proposed in Bill C-10 into law, we are doing just that.

By introducing the safe streets and communities act, which includes these important provisions, we are keeping yet another one of our campaign commitments. Canadians know that our Conservative government keeps its commitments. By delaying the bill, the opposition is proving yet again that it is totally out of touch with the priorities of regular Canadians.

It is my sincere hope that having contemplated all of the benefits that I have outlined—benefits both to our internationally acclaimed immigration system and also to vulnerable individuals from around the world—hon. members on both sides of the House will see fit to support Bill C-10.

• (1745)

[Translation]

**The Acting Speaker (Mr. Bruce Stanton):** It being 5:45 p.m., pursuant to order made earlier today it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the report stage of the bill now before the House.



*Government Orders**[English]*

The question is on Motion No. 2. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on Motion No. 2 stands deferred.

I shall now propose Motions No. 20 to 36, 38, 39, 41, 43, 45, 47, 51, 86 and 87 in Group No. 2 to the House.

Could I inquire of the member for Saanich—Gulf Islands as to who might be the seconder on this particular group?

**Ms. Elizabeth May:** Mr. Speaker, the seconder is the hon. member for Winnipeg North.

**The Acting Speaker (Mr. Bruce Stanton):** Thank you.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP),** seconded by the hon. member for Winnipeg North, moved:

Motion No. 20

That Bill C-10 be amended by deleting Clause 11.

Motion No. 21

That Bill C-10 be amended by deleting Clause 12.

Motion No. 22

That Bill C-10 be amended by deleting Clause 13.

Motion No. 23

That Bill C-10 be amended by deleting Clause 14.

Motion No. 24

That Bill C-10 be amended by deleting Clause 15.

Motion No. 25

That Bill C-10 be amended by deleting Clause 17.

Motion No. 26

That Bill C-10 be amended by deleting Clause 19.

Motion No. 27

That Bill C-10 be amended by deleting Clause 20.

Motion No. 28

That Bill C-10 be amended by deleting Clause 21.

Motion No. 29

That Bill C-10, in Clause 22, be amended by deleting lines 16 to 28 on page 14.

Motion No. 30

That Bill C-10, in Clause 23, be amended by deleting lines 14 to 24 on page 15.

Motion No. 31

That Bill C-10, in Clause 23, be amended by deleting lines 17 to 29 on page 16.

Motion No. 32

That Bill C-10 be amended by deleting Clause 25.

Motion No. 33

That Bill C-10 be amended by deleting Clause 26.

Motion No. 34

That Bill C-10 be amended by deleting Clause 27.

Motion No. 51

That Bill C-10, in Clause 42, be amended by replacing lines 3 to 8 on page 26 with the following:

“(a) the offender, before entering a plea, was notified of the possible imposition of a minimum punishment for the offence in question and of the Attorney General’s intention to prove any factors in relation to the offence that would lead to the imposition of a minimum punishment;

and (b) there are no exceptional circumstances related to the offender or the offence in question that justify imposing a shorter term of imprisonment than the mandatory minimum established for that offence.”

**Mr. Jack Harris (St. John's East, NDP)** moved:

Motion No. 41

That Bill C-10 be amended by deleting Clause 39.

Motion No. 43

That Bill C-10 be amended by deleting Clause 40.

Motion No. 45

That Bill C-10 be amended by deleting Clause 41.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP)** seconded by the member for Winnipeg North moved:

Motion No. 47

That Bill C-10, in Clause 41, be amended by deleting line 38 on page 24 to line 3 on page 25.

Motion No. 86

That Bill C-10 be amended by adding after line 9 on page 102 the following new clause:

“PART 6

• (1800)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP)**, seconded by the member for Winnipeg North, moved:

Motion No. 36

That Bill C-10, in Clause 34, be amended by replacing line 21 on page 19 with the following:

“742.3, if it is determined that the offender belongs to a specific population or group whose socio-economic or cultural marginalization has resulted in an overrepresentation within the Canadian prison population, including Aboriginal peoples and those with mental health disabilities, or if”

Motion No. 38

That Bill C-10, in Clause 34, be amended by replacing line 1 on page 20 with the following:

“(ii) involved, for financial gain, the import, export, trafficking”

Motion No. 39

That Bill C-10, in Clause 34, be amended by replacing line 3 on page 20 with the following:

“(iii) involved the use of a potentially deadly weapon with intent to do bodily harm in connection with the offence; and”

Motion No. 87

That Bill C-10 be amended by adding after line 9 on page 102 the following new clause:

“PART 6

**Mr. Jack Harris (St. John's East, NDP)** moved:

Motion No. 35

That Bill C-10 be amended by deleting Clause 34.

**The Acting Speaker (Mr. Bruce Stanton):** Pursuant to order made earlier today, the recorded divisions on Motions Nos. 35, 41 and 51 are deemed demanded and deferred.

Now we will proceed to put the question on Motion No. 20. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion, the nays have it. I declare the motion defeated.

(Motion No. 20 negated)

**The Acting Speaker (Mr. Bruce Stanton):** The next question is on Motion No. 21. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion, the nays have it. I declare the motion defeated.

(Motion No. 21 negated)

**The Acting Speaker (Mr. Bruce Stanton):** The next question is on Motion No. 22. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion, the nays have it. I declare the motion defeated.

(Motion No. 22 negated)

**Ms. Elizabeth May:** Mr. Speaker, perhaps we should approach it differently. Are you certain, in your opinion?

### *Government Orders*

**The Acting Speaker (Mr. Bruce Stanton):** I feel sure that, even though I omitted one of the steps in the voice vote, in fact the House has decided and the motion is defeated.

The next question is on Motion No. 23. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion, the nays have it. I declare the motion defeated.

(Motion No. 23 negated)

**The Acting Speaker (Mr. Bruce Stanton):** The next question is on Motion No. 24. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion, the nays have it. I declare the motion defeated.

(Motion No. 24 negated)

**The Acting Speaker (Mr. Bruce Stanton):** The next question is on Motion No. 25. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion, the nays have it. I declare the motion defeated.



*Government Orders*

(Motion No. 25 negatived)

**The Acting Speaker (Mr. Bruce Stanton):** The next question is on Motion No. 26. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion, the nays have it. I declare the motion defeated.

(Motion No. 26 negatived)

**The Acting Speaker (Mr. Bruce Stanton):** The next question is on Motion No. 27. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion, the nays have it. I declare the motion defeated.

(Motion No. 27 negatived)

**The Acting Speaker (Mr. Bruce Stanton):** The next question is on Motion No. 28. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion, the nays have it. I declare the motion defeated.

(Motion No. 28 negatived)

**The Acting Speaker (Mr. Bruce Stanton):** The next question is on Motion No. 29. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion, the nays have it. I declare the motion defeated.

(Motion No. 29 negatived)

**The Acting Speaker (Mr. Bruce Stanton):** The next question is on Motion No. 30. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion, the nays have it. I declare the motion defeated.

(Motion No. 30 negatived)

•(1805)

**The Acting Speaker (Mr. Bruce Stanton):** The next question is on Motion No. 31. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it. I declare the motion defeated.

(Motion No. 31 negatived)

**The Acting Speaker (Mr. Bruce Stanton):** The next question is on Motion No. 32. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it. I declare the motion defeated.

(Motion No. 32 negatived)

**The Acting Speaker (Mr. Bruce Stanton):** The next question is on Motion No. 33. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it. I declare the motion defeated.

(Motion No. 33 negatived)

**The Acting Speaker (Mr. Bruce Stanton):** The next question is on Motion No. 34. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it. I declare the motion defeated.

(Motion No. 34 negatived)

### *Government Orders*

**Mr. Kevin Lamoureux:** Mr. Speaker, I rise on a point of order. For clarification, what happened with Motion No. 35?

**The Acting Speaker (Mr. Bruce Stanton):** The question on Motion No. 35 was deemed put.

The next question is on Motion No. 43. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on the motion stands deferred.

The next question is on Motion No. 45. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on the motion stands deferred.

The next question is on Motion No. 86. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.



*Government Orders*

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it. I declare the motion defeated.

(Motion No. 86 negatived)

**The Acting Speaker (Mr. Bruce Stanton):** The next question is on Motion No. 87. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it. I declare the motion defeated.

(Motion No. 87 negatived)

**The Acting Speaker (Mr. Bruce Stanton):** I shall now propose Motions Nos. 65 to 69 in Group No. 3 to the House.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP)** , seconded by the member for Winnipeg North, moved:

Motion No. 65

That Bill C-10, in Clause 136, be amended by replacing line 14 on page 74 with the following:

“shall consider the following factors:”

Motion No. 66

That Bill C-10, in Clause 136, be amended by replacing lines 15 to 17 on page 74 with the following:

“(a) whether, based on evidence and expert opinion pertaining to the offender, the Minister determines that the offender's return to Canada would constitute a threat to the security of Canada;”

Motion No. 67

That Bill C-10, in Clause 136, be amended by replacing lines 18 and 19 on page 74 with the following:

“(b) whether, based on evidence and expert opinion, the Minister determines that the offender's return to Canada to serve their sentence would endanger”

Motion No. 68

That Bill C-10, in Clause 136, be amended by deleting lines 8 to 10 on page 75.

Motion No. 69

That Bill C-10, in Clause 136, be amended by replacing line 21 on page 75 with the following:

“enforcement agency, except if the relevant local law enforcement agencies are known or suspected to be complicit in torture or any other form of human rights violation; or”

**Mr. Jack Harris (St. John's East, NDP)** moved:

Motion No. 53

That Bill C-10 be amended by deleting Clause 54.

Motion No. 62

That Bill C-10 be amended by deleting Clause 108.

Motion No. 64

That Bill C-10 be amended by deleting Clause 136.

**The Acting Speaker (Mr. Bruce Stanton):** Pursuant to an order made earlier today the recorded divisions on Motions Nos. 53, 62 and 64 are deemed demanded and deferred.

• (1825)

**The Acting Speaker (Mr. Bruce Stanton):** I shall now propose Motions Nos. 70, 71, 73, 76 to 78, 80, 81 in Group No. 4 to the House.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP)** , seconded by the hon. member for Winnipeg North, moved:

Motion No. 70

That Bill C-10, in Clause 167, be amended by replacing line 24 on page 87 with the following:

“(b) an attempt to commit an”

**Mr. Jack Harris (St. John's East, NDP)** moved:

Motion No. 71

That Bill C-10 be amended by deleting Clause 168.

Motion No. 78

That Bill C-10 be amended by deleting Clause 183.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP)** , seconded by the hon. member for Winnipeg North, moved:

Motion No. 73

That Bill C-10, in Clause 168, be amended by replacing line 33 on page 87 with the following:

“intended to promote the long-term protection of the public by”

Motion No. 76

That Bill C-10 be amended by deleting Clause 172.

Motion No. 77

That Bill C-10, in Clause 176, be amended by deleting line 22 on page 91 to line 12 on page 92.

Motion No. 80

That Bill C-10 be amended by deleting Clause 185.

Motion No. 81

That Bill C-10 be amended by deleting Clause 190.

**The Acting Speaker (Mr. Bruce Stanton):** I shall now put the question on the motions in Group No. 4.

The question is on Motion No. 70. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

(Motion No. 70 negatived)

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it. I declare the motion defeated.

The question is on Motion No. 71. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on the motion stands deferred.

The question is on Motion No. 76. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it. I declare the motion defeated.

(Motion No. 76 negated)

**The Acting Speaker (Mr. Bruce Stanton):** The question is on Motion No. 77. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division on the motion stands deferred.

### *Government Orders*

The question is on Motion No. 78. Pursuant to an order made earlier today the recorded division on Motion No. 78 is deemed demanded and deferred.

**The Acting Speaker (Mr. Bruce Stanton):** The question is on Motion No. 80. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it. I declare the motion defeated.

(Motion No. 80 negated)

**The Acting Speaker (Mr. Bruce Stanton):** The question is on Motion No. 81. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Bruce Stanton):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Bruce Stanton):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Bruce Stanton):** In my opinion the nays have it. I declare the motion defeated.

(Motion No. 81 negated)

**The Acting Speaker (Mr. Bruce Stanton):** I shall now propose Motions Nos. 82 to 85 in Group No. 5 to the House.

The member for Hamilton Mountain is rising on a point of order.

**Ms. Chris Charlton:** Mr. Speaker, could you just clarify what happened to Motion No. 80?

**The Acting Speaker (Mr. Bruce Stanton):** Motion No. 80 in Group 4 was defeated.

We are now on the motions in Group No. 5.

**Mr. Jack Harris (St. John's East, NDP)** moved:

Motion No. 82

That Bill C-10 be amended by deleting Clause 206.

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** , seconded by the hon. member for Winnipeg North, moved:

Motion No. 83

That Bill C-10, in Clause 206, be amended by replacing line 16 on page 101 with the following:



### Government Orders

"the instructions, based on certain evidence and criteria, given by the Minister justify"

Motion No. 84

That Bill C-10, in Clause 206, be amended by replacing line 23 on page 101 with the following:

"nationals who, on the basis of reasonable grounds, are believed to be at risk of being subjected to"

Motion No. 85

That Bill C-10, in Clause 206, be amended by replacing line 26 on page 101 with the following:

"(1.5) The instructions, as well as the criteria referred to in subsection (1.2), shall be published in"

**The Acting Speaker (Mr. Bruce Stanton):** Pursuant to an order made earlier today, the recorded divisions on the motions in Group No. 5 stand deferred.

The House will now proceed to the taking of the deferred recorded divisions at the report stage of Bill C-10.

Call in the members.

*And the bells having rung:*

● (1900)

[Translation]

**The Speaker:** The question is on Motion No. 1.

● (1910)

(The House divided on Motion No. 1, which was negated on the following division:)

(Division No. 81)

### YEAS

#### Members

Allen (Welland)	Angus
Atamanenko	Aubin
Ayala	Bélanger
Bellavance	Bennett
Benskin	Bevington
Blanchette	Blanchette-Lamothe
Boivin	Borg
Boulrice	Boutin-Sweet
Brahmi	Brisson
Brosseau	Byrne
Caron	Casey
Cash	Charlton
Chicoine	Choquette
Chow	Christopherson
Cleary	Coderre
Comartin	Cotler
Crowder	Cuzner
Davies (Vancouver Kingsway)	Davies (Vancouver East)
Day	Dewar
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Etobicoke North)
Duncan (Edmonton—Strathcona)	Dussault
Easter	Eyking
Foote	Freeman
Garneau	Genest
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Grogue
Harris (Scarborough Southwest)	Harris (St. John's East)
Ilsu	Hughes
Ilyer	Jacob
Julian	Karygiannis
Kellway	Lamoureux
Lapointe	Larose
Latendresse	Lavardiére
LeBlanc (Beauséjour)	LeBlanc (LaSalle—Émard)
Leslie	Liu
MacAulay	Mai

Marston  
Masse  
May  
McGuinty  
Moore (Abitibi—Témiscamingue)  
Morin (Notre-Dame-de-Grâce—Lachine)  
Morin (Saint-Hyacinthe—Bagot)  
Nantel  
Nicholls  
Pacetti  
Patry  
Perreault  
Plamondon  
Rafferty  
Raynault  
Sandhu  
Scarpaleggia  
Sgro  
Sims (Newton—North Delta)  
St-Denis  
Stoffer  
Thibeault  
Tremblay  
Turnel

Martin  
Mathyssen  
McCallum  
Michaud  
Morin (Chicoutimi—Le Fjord)  
Morin (Laurentides—Labelle)  
Murray  
Nash  
Nunez-Melo  
Papillon  
Péclet  
Pilon  
Quach  
Ravignat  
Regan  
Savoie  
Sellah  
Simms (Bonaville—Gander—Grand Falls—Wind-  
Sitsabaesan  
Stewart  
Sullivan  
Toone  
Trudeau  
Valeriote — 126

### NAYS

#### Members

Ablonczy	Adams
Adler	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Baird
Bateman	Benoit
Bernier	Bezan
Blaney	Block
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooog	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Davidson
Del Mastro	Devolin
Dreesen	Duncan (Vancouver Island North)
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Galipeau	Gallant
Gill	Glover
Goguen	Goldring
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Hoepfner	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauson	Lebel
Lee	Leitch
Lemieux	Leung
Lizon	Lobb
Lukowski	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
O'Neill Gordon	Obhrai
Oliver	Opitz
Payne	Penashue

Poilevie  
 Raït  
 Rathgeber  
 Rempel  
 Richardson  
 Saxton  
 Seebach  
 Shipley  
 Smith  
 Sorenson  
 Storseth  
 Sweet  
 Toet  
 Trost  
 Truppe  
 Uppal  
 Van Loan  
 Wallace  
 Warkentin  
 Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)  
 Weston (Saint John)  
 Wilks  
 Wong  
 Young (Oakville)  
 Zimmer — 155

Preston  
 Rajotte  
 Reid  
 Richards  
 Rickford  
 Schellenberger  
 Shea  
 Shory  
 Sopuck  
 Stanton  
 Strahl  
 Tilson  
 Toews  
 Trotter  
 Tweed  
 Van Kesteren  
 Vellacott  
 Warawa  
 Watson  
 Williamson  
 Woodworth  
 Young (Vancouver South)

### PAIRED

Nil

**The Speaker:** I declare Motion No. 1 lost.

The hon. Minister of State and Chief Government Whip.

[English]

**Hon. Gordon O'Connor:** Mr. Speaker, if you seek it I believe you would find unanimous consent to apply the vote from the previous motion to Motion Nos. 43, 45, 71, 76, 77, 80 and 82, with the Conservatives voting no.

**The Speaker:** Is there unanimous consent to proceed in this fashion?

**Some hon. members:** Agreed.

**Ms. Chris Charlton:** Mr. Speaker, the NDP members are voting yes.

**Ms. Judy Foote:** Mr. Speaker, Liberal members are voting in favour.

[Translation]

**Mr. Louis Plamondon:** The Bloc Québécois votes yes.

[English]

**Ms. Elizabeth May:** Mr. Speaker, the Green Party votes yes.

[Translation]

**The Speaker:** I declare Motion Nos. 43, 45, 71, 76, 77, 80 and 82 lost.

[English]

The next question is on Motion No. 2.

● (1920)

[Translation]

(The House divided on Motion No. 2, which was negated on the following division:)

(Division No. 82)

YEAS

Members

Allen (Welland)

Angus

### Government Orders

Atamanenko  
 Ayala  
 Benskin  
 Blanchette  
 Boivin  
 Boulrice  
 Brahmi  
 Caron  
 Charlton  
 Choquette  
 Christopherson  
 Comartin  
 Davies (Vancouver Kingsway)  
 Day  
 Dionne Labelle  
 Doré Lefebvre  
 Duncan (Edmonton—Strathcona)  
 Freeman  
 Genest-Jourdain  
 Godin  
 Grogue  
 Harris (St. John's East)  
 Hyer  
 Julian  
 Lapointe  
 Latendresse  
 LeBlanc (LaSalle—Émard)  
 Liu  
 Marston  
 Masse  
 May  
 Moore (Abitibi—Témiscamingue)  
 Morin (Notre-Dame-de-Grâce—Lachine)  
 Morin (Saint-Hyacinthe—Bagot)  
 Nash  
 Nunez-Melo  
 Patry  
 Perreault  
 Plamondon  
 Rafferty  
 Raynault  
 Savoie  
 Sims (Newton—North Delta)  
 St-Denis  
 Stoffer  
 Thibault  
 Tremblay

Aubin  
 Bellavance  
 Bevington  
 Blanchette-Lamothe  
 Borg  
 Boutin-Sweet  
 Brossseau  
 Cash  
 Chicoine  
 Chow  
 Cleary  
 Crowder  
 Davies (Vancouver East)  
 Dewar  
 Donnelly  
 Dubé  
 Duscault  
 Genest  
 Giguère  
 Gravelle  
 Harris (Scarborough Southwest)  
 Hughes  
 Jacob  
 Kellway  
 Larose  
 Laverdière  
 Leslie  
 Mai  
 Martin  
 Mathysen  
 Michaud  
 Morin (Chicoutimi—Le Fjord)  
 Morin (Laurentides—Labelle)  
 Nantel  
 Nicholls  
 Papillon  
 Pécelet  
 Pilon  
 Quach  
 Ravignat  
 Sandhu  
 Sellah  
 Sitsabaicasan  
 Stewart  
 Sullivan  
 Toone  
 Turmel — 96

### NAYS

Members

Ablonczy  
 Adler  
 Albrecht  
 Allen (Tobique—Mactaquac)  
 Ambler  
 Anders  
 Armstrong  
 Aspin  
 Bateman  
 Bennett  
 Bernier  
 Blaney  
 Boughen  
 Breitzkreuz  
 Brown (Leeds—Grenville)  
 Brown (Barrie)  
 Butt  
 Calandra  
 Cannan  
 Carrie  
 Chisu  
 Clarke  
 Coderre  
 Cuzner  
 Del Mastro  
 Dion  
 Duncan (Vancouver Island North)  
 Dykstra  
 Eyking  
 Fast  
 Finley (Haldimand—Norfolk)  
 Foote

Adams  
 Albas  
 Alexander  
 Allison  
 Ambrose  
 Anderson  
 Ashfield  
 Baird  
 Bélanger  
 Benoit  
 Bezan  
 Block  
 Braid  
 Brison  
 Brown (Newmarket—Aurora)  
 Bruinooge  
 Byrne  
 Calkins  
 Carmichael  
 Casey  
 Chong  
 Clement  
 Cotler  
 Davidson  
 Devolin  
 Dreshen  
 Duncan (Etobicoke North)  
 Easter  
 Fantino  
 Findlay (Delta—Richmond East)  
 Fletcher  
 Galipeau



*Government Orders*

Gallant	Garneau
Gill	Glover
Goguen	Goldring
Goodale	Gosal
Gourde	Grewal
Harper	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Hoeppner
Holder	Hsu
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Karygiannis
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lamoureux
Lauzon	Lebel
LeBlanc (Beauséjour)	Leef
Leitch	Lemicux
Leung	Lizon
Lobb	Lukiwski
MacAulay	MacKay (Central Nova)
MacKenzie	Mayes
McCallum	McColeman
McGuinty	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Murray	Nicholson
Norlock	O'Connor
O'Neill Gordon	Obhrai
Oliver	Opitz
Pacetti	Payne
Penashue	Poilievre
Preston	Raitt
Rathgeber	Regan
Reid	Rempel
Richards	Richardson
Rickford	Saxton
Scarpaleggia	Schellenberger
Seckback	Sgro
Shea	Shipley
Shory	Simms (Bonavista—Gander—Grand Falls—Wind-
son)	
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trottier
Trudeau	Truppe
Tweed	Uppal
Valeriot	Van Kesteren
Van Loan	Vellacott
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilks	Williamson
Wong	Woodworth
Young (Oakville)	Young (Vancouver South)
Zimmer— 183	

## PAIRED

Nil

*[Translation]*

The question is on Motion No. 5.

● (1930)

(The House divided on Motion No. 5, which was negated on the following division:)

*(Division No. 83)*

## YEAS

## Members

Allen (Welland)	Angus
Atamanenko	Aubin
Ayala	Bélanger
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothé	Boivin
Borg	Boulérice
Boutin-Sweet	Brahmi
Brison	Brousseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Choquette	Chow
Christopherson	Cleary
Coderre	Comartin
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dusseault	Easter
Eyking	Footé
Freeman	Garneau
Genest	Genest-Jourdain
Giguère	Godin
Goodale	Gravelle
Grogahé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hsu
Hughes	Hyer
Jacob	Julian
Karygiannis	Kellway
Lamoureux	Lapointe
Larose	Latendresse
Lavardiére	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McCallum	McGuinty
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Murray	Nantel
Nash	Nicholls
Nuncz-Melo	Pacetti
Papillon	Patry
Péclet	Perreault
Pilon	Quach
Rafferty	Ravignat
Raynault	Regan
Sandhu	Savoie
Scarpaleggia	Sellah
Sgro	Simms (Bonavista—Gander—Grand Falls—Wind-
son)	
Sims (Newton—North Delta)	Sitsabaesan
St-Denis	Stewart
Stoffer	Sullivan
Thibeault	Toone
Tremblay	Trudeau
Turmel	Valeriot— 124

## NAYS

## Members

Ablonczy	Adams
Adler	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Baird
Bateman	Bellavance
Benoit	Bernier
Bczan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chisu	Chong
Clarke	Clement
Davidson	Del Mastro
Devolin	Dreeshen
Duncan (Vancouver Island North)	Dykstra
Fantino	Fast
Finlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)
Fletcher	Galipeau
Gallant	Gill
Glover	Goguen
Goldring	Gosal
Gourde	Grewal
Harper	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Hoeppner
Holder	James
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauson
Lebel	Leef
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	Norlock
Nicholson	O'Neill Gordon
O'Connor	Oliver
Obhrai	Payne
Opitz	Plamondon
Penashue	Preston
Poilievre	Rajotte
Raitt	Reid
Rathgeber	Richards
Rempel	Rickford
Richardson	Schellenberger
Saxton	Shea
Sceback	Shory
Shipley	Sopuck
Smith	Stanton
Sorenson	Strahl
Storseth	Tilson
Sweet	Toews
Toet	Trottier
Trost	Tweed
Truppe	Van Kesteren
Uppal	Vellacott
Van Loan	Warawa
Wallace	Watson
Warkentin	
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	Williamson
Weston (Saint John)	Woodworth
Wilks	Young (Vancouver South)
Wong	
Young (Oakville)	

Zimmer— 157

## Government Orders

## PAIRED

Nil

**The Speaker:** I declare Motion No. 5 lost.

The next question is on Motion No. 35. A negative vote on Motion No. 35 requires the question to be put on Motions Nos. 36, 38 and 39.

● (1935)

(The House divided on Motion No. 35, which was negated on the following division:)

(Division No. 84)

## YEAS

## Members

Allen (Welland)	Angus
Atamanenko	Aubin
Ayala	Bélanger
Bellavance	Bennett
Benskin	Bevington
Blanchette	Blanchette-Lamothe
Boivin	Borg
Boulerice	Boutin-Sweet
Brahmi	Brisson
Brossseau	Byrne
Caron	Casey
Cash	Charlton
Chicoine	Choquette
Chow	Christopherson
Cleary	Coderre
Comartin	Cotler
Crowder	Cuzner
Davies (Vancouver Kingsway)	Davies (Vancouver East)
Day	Dewar
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Etobicoke North)
Duncan (Edmonton—Strathcona)	Dussault
Easter	Eyking
Foote	Freeman
Garneau	Genest
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Groguhé
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Hycr	Jacob
Julian	Karygiannis
Kellway	Lamoureux
Lapointe	Larose
Latendresse	Laverdière
LeBlanc (Beauséjour)	LeBlanc (LaSalle—Émard)
Leslie	Liu
MacAulay	Mai
Marston	Martin
Masse	Mathysen
May	McCallum
McGuinty	Michaud
Moore (Abitibi—Témiscamingue)	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Murray
Nantel	Nash
Nicholls	Nunez-Melo
Pacetti	Papillon
Patry	Péclét
Perreault	Pilon
Plamondon	Quach
Rafferty	Ravignat
Raynault	Regan
Sandhu	Savoie
Scarpaleggia	Sellah
Sgro	Simms (Bonavista—Gander—Grand Falls—Wind-
sor)	
Sims (Newton—North Delta)	Sitsabaesan
St-Denis	Stewart



*Government Orders*

Stoffer	Sullivan	Wilks	Williamson
Thibeault	Toone	Wong	Woodworth
Tremblay	Trudeau	Young (Oakville)	Young (Vancouver South)
Turnel	Valeriote — 126	Zimmer — 155	

**NAYS****Members**

Ablonczy	Adams
Adler	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Baird
Bateman	Benoit
Bernier	Bezan
Blaney	Block
Boughen	Braid
Breitreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Davidson
Del Mastro	Devolin
Dreshen	Duncan (Vancouver Island North)
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Galipeau	Gallant
Gill	Glover
Goguen	Goldring
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Hoepfner	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauson	Lebel
Leef	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
O'Neill Gordon	Obhrai
Oliver	Opitz
Payne	Penashue
Poillievre	Preston
Raït	Rajotte
Rathgeber	Reid
Rempel	Richards
Richardson	Rickford
Saxton	Schellenberger
Seebach	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trottier
Truppe	Tweed
Uppal	Van Kesteren
Van Loan	Vellacott
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	

**PAIRED**

Nil

**The Speaker:** I declare Motion No. 35 lost.

The next question is on Motion No. 36.

Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.**Some hon. members:** No.**The Speaker:** All those in favour of the motion will please say yea.**Some hon. members:** Yea.**The Speaker:** All those opposed will please say nay.**Some hon. members:** Nay.**The Speaker:** In my opinion the nays have it. I declare Motion No. 36 lost.

(Motion No. 36 negated)

The next question is on Motion No. 38. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.**Some hon. members:** No.**The Speaker:** All those in favour of the motion will please say yea.**Some hon. members:** Yea.**The Speaker:** All those opposed will please say nay.**Some hon. members:** Nay.**The Speaker:** In my opinion the nays have it.

(Motion No. 38 negated)

**The Speaker:** The next question is on Motion No. 39. Is it the pleasure of the House to adopt the motion?**Some hon. members:** Agreed.**Some hon. members:** No.**The Speaker:** All those in favour of the motion will please say yea.**Some hon. members:** Yea.**The Speaker:** All those opposed will please say nay.**Some hon. members:** Nay.**The Speaker:** In my opinion the nays have it.

(Motion No. 39 negated)

**The Speaker:** The next question is on Motion No. 41.

● (1945)

(The House divided on Motion No. 41, which was negated on the following division:)

*(Division No. 85)*

**YEAS**

Members

Allen (Welland)	Angus
Atamanenko	Aubin
Ayala	Bélanger
Bellavance	Bennett
Benskin	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Choquette	Chow
Christopherson	Cleary
Coderre	Comartin
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dussault	Easter
Eyking	Foote
Freeman	Garneau
Genest	Genest-Jourdain
Giguère	Godin
Goodale	Gravelle
Groguié	Harris (Scarborough Southwest)
Harris (St. John's East)	Hsu
Hughes	Hyer
Jacob	Julian
Karygiannis	Kellway
Lamoureux	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McCallum	McGuinty
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Murray	Nantel
Nash	Nicholls
Nunez-Melo	Pacetti
Papillon	Patry
Péclet	Perreault
Pilon	Plamondon
Quach	Rafferty
Ravignat	Raynault
Regan	Sandhu
Savoie	Scarpaleggia
Sellah	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	
Sitsabaicsan	St-Denis
Stewart	Stoffer
Sullivan	Thibault
Toone	Tremblay
Trudeau	Turnel
Valeriote — 125	

**NAYS**

Members

Ablonezy	Adams
Adler	Albas
Albrecht	Alexander

*Government Orders*

Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Baird
Bateman	Benoit
Bernier	Bezan
Blaney	Block
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooze	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Davidson
Del Mastro	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Galipeau	Gallant
Gill	Glover
Goguen	Goldring
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Hoeppner	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
Leaf	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunnay
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
O'Neill Gordon	Obhrai
Oliver	Opitz
Payne	Penashue
Poileuvre	Preston
Rajotte	Rathgeber
Reid	Rempel
Richards	Richardson
Rickford	Saxton
Schellenberger	Seeback
Shea	Shipley
Shory	Smith
Sopuck	Sorenson
Stanton	Storseth
Strahl	Sweet
Tilson	Toet
Toews	Trost
Trottier	Truppe
Tweed	Uppal
Van Kesteren	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Young (Oakville)
Young (Vancouver South)	Zimmer — 154

**PAIRED**

Nil

**The Speaker:** I declare Motion No. 41 lost.

The next question is on Motion No. 47. Is it the pleasure of the House to adopt the motion?



*Government Orders*

**Some hon. members:** Agreed

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay

**The Speaker:** In my opinion the nays have it.  
(Motion No. 47 negatived.)

**The Speaker:** The next question is on Motion No. 51.

• (1950)

(The House divided on Motion No. 51, which was negatived on the following division:)

*(Division No. 86)***YEAS****Members**

Allen (Welland)	Angus
Atamanenko	Aubin
Ayala	Bélanger
Bellavance	Bennett
Benskin	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Choquette	Chow
Christopherson	Cleary
Coderre	Comartin
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dussault	Easter
Eyking	Foote
Freeman	Garneau
Genest	Genest-Jourdain
Giguère	Godin
Goodale	Gravelle
Grogubé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hsu
Hughes	Hyer
Jacob	Julian
Karygiannis	Kellway
Lamoureux	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McCallum	McGuinty
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Murray	Nantel
Nash	Nicholls
Núñez-Melo	Pacetti
Papillon	Patry
Péclét	Perreault
Pilon	Plamondon

Quach	Rafferty
Ravignat	Raynault
Regan	Sandhu
Savoie	Scarpaleggia
Sellah	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	
Sitsabaiesan	St-Denis
Stewart	Stoffer
Sullivan	Thibeault
Toone	Tremblay
Trudeau	Turnel
Valeriote — 125	

**NAYS****Members**

Ablonczy	Adams
Adler	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Baird
Bateman	Benoit
Bernier	Bezan
Blaney	Block
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Davidson
Del Mastro	Devolin
Dreeschen	Duncan (Vancouver Island North)
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Galipeau	Gallant
Gill	Glover
Goguen	Goldring
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Hoepfner	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauson	Lebel
Leef	Leitch
Lemieux	Leung
Lizon	Lobb
Lukowski	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
O'Neill Gordon	Obhrai
Oliver	Opitz
Payne	Penashue
Poilievre	Preston
Raitt	Rajotte
Rathgeber	Reid
Rempel	Richards
Richardson	Rickford
Saxton	Schellenberger
Seebach	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson

Toet  
Trost  
Truppe  
Uppal  
Van Loan  
Wallace  
Warkentin  
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)  
Weston (Saint John)  
Wilks  
Wong  
Young (Oakville)  
Zimmer— 155

Toews  
Trotter  
Tweed  
Van Kesteren  
Vellacott  
Warawa  
Watson  
Williamson  
Woodworth  
Young (Vancouver South)

# PAIRED

Nil

**The Speaker:** I declare Motion No. 51 lost.

The next question is on Motion No. 53.

• (2000)

(The House divided on Motion No. 53, which was negated on the following division:)

(Division No. 87)

# YEAS

## Members

Allen (Welland)  
Atamanenko  
Ayala  
Bennett  
Blanchette  
Boivin  
Boulerice  
Brahmi  
Brosseau  
Caron  
Cash  
Chicoine  
Chow  
Cleary  
Comartin  
Crowder  
Davies (Vancouver Kingsway)  
Day  
Dion  
Donnelly  
Dubé  
Duncan (Edmonton—Strathcona)  
Easter  
Foote  
Garnica  
Genest-Jourdain  
Godin  
Gravelle  
Harris (Scarborough Southwest)  
Hsu  
Hyer  
Julian  
Kellway  
Lapointe  
Latendresse  
LeBlanc (Beauséjour)  
Leslie  
MacAulay  
Marston  
Masse  
May  
McGuinty  
Moore (Abitibi—Témiscamingue)  
Morin (Notre-Dame-de-Grâce—Lachine)  
Morin (Saint-Hyacinthe—Bagot)  
Nantel  
Nicholls  
Pacetti  
Patry  
Perreault  
Quach

Angus  
Aubin  
Bélanger  
Benskin  
Blanchette-Lamothe  
Borg  
Boutin-Sweet  
Brisson  
Byrne  
Casey  
Charlton  
Choquette  
Christopherson  
Coderre  
Cotler  
Cuzner  
Davies (Vancouver East)  
Dewar  
Dionne Labelle  
Doré Lefebvre  
Duncan (Etobicoke North)  
Dussault  
Eyking  
Freeman  
Genest  
Giguère  
Goodale  
Grogulé  
Harris (St. John's East)  
Hughes  
Jacob  
Karygiannis  
Lamoureux  
Larose  
Laverdière  
LeBlanc (LaSalle—Émard)  
Liu  
Mai  
Martin  
Mathysen  
McCallum  
Michaud  
Morin (Chicoutimi—Le Fjord)  
Morin (Laurentides—Labelle)  
Murray  
Nash  
Nunez-Melo  
Papillon  
Péclet  
Pilon  
Rafferty

# Government Orders

Ravignat  
Regan  
Savoie  
Sellah  
Simms (Bonaville—Gander—Grand Falls—Windsor)  
Sims (Newton—North Delta)  
Sitsabaiesan  
Stewart  
Sullivan  
Toone  
Trudeau  
Valeriote— 123

Raynault  
Sandhu  
Scarpaleggia  
Sgro  
St-Denis  
Stoffer  
Thibault  
Tremblay  
Turnell

# NAYS

## Members

Ablonczy  
Adler  
Albrecht  
Allen (Tobique—Mactaquac)  
Ambler  
Anders  
Armstrong  
Aspin  
Bateman  
Benoit  
Bezan  
Block  
Braid  
Brown (Leeds—Grenville)  
Brown (Barrie)  
Butt  
Calkins  
Carmichael  
Chisu  
Clarke  
Davidson  
Devolin  
Duncan (Vancouver Island North)  
Fantino  
Findlay (Delta—Richmond East)  
Fletcher  
Gallant  
Glover  
Goldring  
Gourde  
Harper  
Hawn  
Hicbert  
Hoback  
Holder  
Jean  
Keddy (South Shore—St. Margaret's)  
Kent  
Komarnicki  
Lake  
Lebel  
Leitch  
Leung  
Lobb  
Lunney  
MacKenzie  
McColeman  
Menegakis  
Merrifield  
Moore (Port Moody—Westwood—Port Coquitlam)  
Moore (Fundy Royal)  
Nicholson  
O'Connor  
Obhrai  
Opitz  
Penashue  
Poilievre  
Raitt  
Rathgeber  
Rempel  
Richardson  
Saxton  
Seaback  
Shipley  
Smith  
Sorenson  
Storseth

Adams  
Albas  
Alexander  
Allison  
Ambrose  
Anderson  
Ashfield  
Baird  
Bellavance  
Bernier  
Blaney  
Boughen  
Breitkreuz  
Brown (Newmarket—Aurora)  
Bruinooie  
Calandra  
Cannan  
Carrie  
Chong  
Clement  
Del Mastro  
Dreessen  
Dykstra  
Fast  
Finley (Haldimand—Norfolk)  
Galipeau  
Gill  
Goguen  
Gosal  
Grewal  
Harris (Cariboo—Prince George)  
Hayes  
Hillyer  
Hoepfner  
James  
Kamp (Pitt Meadows—Maple Ridge—Mission)  
Kenney (Calgary Southeast)  
Kerr  
Kramp (Prince Edward—Hastings)  
Lauzon  
Lee  
Lemieux  
Lizon  
Lukowski  
MacKay (Central Nova)  
Mayes  
McLeod  
Menzies  
Miller  
Norlock  
O'Neill Gordon  
Oliver  
Payne  
Plamondon  
Preston  
Rajotte  
Reid  
Richards  
Rickford  
Schellenberger  
Shea  
Shory  
Sopuck  
Stanton  
Strahl



*Government Orders*

Sweet	Tilson
Toet	Toews
Trost	Trottier
Truppe	Twedd
Uppal	Van Kesteren
Van Loan	Vellacott
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilks	Williamson
Wong	Woodworth
Young (Oakville)	Young (Vancouver South)
Zimmer — 157	

Pilon	Plamondon
Quach	Rafferty
Ravignat	Raynault
Regan	Sandhu
Savoie	Scarpaleggia
Sellah	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	
Sitsabaicsan	St-Denis
Stewart	Stoffer
Sullivan	Thibeault
Toone	Tremblay
Trudeau	Turnel
Valeriote — 125	

## PAIRED

Nil

**The Speaker:** I declare Motion No. 53 lost.

The next question is on Motion No. 62.

● (2010)

(The House divided on Motion No. 62, which was negated on the following division:)

*(Division No. 88)*

## YEAS

## Members

Allen (Welland)	Angus
Atamanenko	Aubin
Ayala	Bélanger
Bellavance	Bennett
Benskin	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Choquette	Chow
Christopherson	Cleary
Coderre	Comartin
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dusseau	Easter
Eyking	Foote
Freeman	Garneau
Genest	Genest-Jourdain
Giguère	Godin
Goodale	Gravelle
Groguié	Harris (Scarborough Southwest)
Harris (St. John's East)	Hsu
Hughes	Hyer
Jacob	Julian
Karygiannis	Kellway
Lamoureux	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McCallum	McGuinty
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Murray	Nantel
Nash	Nicholls
Nunez-Melo	Pacetti
Papillon	Patry
Péclét	Perreault

## NAYS

## Members

Ablonczy	Adams
Adler	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Baird
Bateman	Benoit
Bernier	Bezan
Blancy	Block
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinoooge	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Davidson
Del Mastro	Devolin
Dreesen	Duncan (Vancouver Island North)
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Galipeau	Gallant
Gill	Glover
Goguen	Goldring
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Hoepfner	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
Leef	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
O'Neill Gordon	Obhrai
Oliver	Opitz
Payne	Penashue
Poillievre	Preston
Raïtt	Rajotte
Rathgeber	Reid
Rempel	Richards
Richardson	Rickford
Saxton	Schellenberger
Seebach	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl

Sweet  
Toet  
Trost  
Truppe  
Uppal  
Van Loan  
Wallace  
Warkentin  
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)  
Weston (Saint John)  
Wilks  
Wong  
Young (Oakville)  
Zimmer — 155

Tilson  
Toews  
Trotter  
Tweed  
Van Kesteren  
Vellacott  
Warawa  
Watson  
Williamson  
Woodworth  
Young (Vancouver South)

# PAIRED

Nil

**The Speaker:** I declare Motion No. 62 lost.

The next question is on Motion No. 64. A negative vote on Motion No. 64 requires the question to be put on Motions Nos. 65, 66, 67, 68 and 69.

• (2015)

(The House divided on Motion No. 64, which was negated on the following division:)

# (Division No. 89)

## YEAS

### Members

Allen (Welland)  
Atamanenko  
Ayala  
Bellavance  
Benskin  
Blanchette-Lamothe  
Borg  
Boutin-Sweet  
Brisson  
Byrne  
Casey  
Charlton  
Choquette  
Christopherson  
Coderre  
Cotler  
Cuzner  
Davies (Vancouver East)  
Dewar  
Dionne Labelle  
Doré Lefebvre  
Duncan (Etobicoke North)  
Dussault  
Eyking  
Freeman  
Genest  
Giguère  
Goodale  
Grogulé  
Harris (St. John's East)  
Hughes  
Jacob  
Karygiannis  
Lamoureux  
Larose  
Laverdière  
LeBlanc (LaSalle—Émard)  
Liu  
Mai  
Martin  
Mathysen  
McCallum  
Michaud  
Morin (Chicoutimi—Le Fjord)  
Morin (Laurentides—Labelle)  
Murray  
Nash

Angus  
Aubin  
Bélanger  
Bennett  
Blanchette  
Boivin  
Boulerice  
Brahmi  
Brosseau  
Caron  
Cash  
Chicoine  
Chow  
Cleary  
Comartin  
Crowder  
Davies (Vancouver Kingsway)  
Day  
Dion  
Donnelly  
Dubé  
Duncan (Edmonton—Strathcona)  
Easter  
Foote  
Garneau  
Genest-Jourdain  
Godin  
Gravelle  
Harris (Scarborough Southwest)  
Hsu  
Hyer  
Julian  
Kellway  
Lapointe  
Latendresse  
LeBlanc (Beauséjour)  
Leslie  
MacAulay  
Marston  
Masse  
May  
McGuinty  
Moore (Abitibi—Témiscamingue)  
Morin (Notre-Dame-de-Grâce—Lachine)  
Morin (Saint-Hyacinthe—Bagot)  
Nantel  
Nicholls

## Government Orders

Nunez-Melo  
Papillon  
Péclet  
Pilon  
Quach  
Ravignat  
Regan  
Savoie  
Schlah  
Simms (Bonavista—Gander—Grand Falls—Windsor)  
Sims (Newton—North Delta)  
Sitsabaicsan  
Stewart  
Sullivan  
Toone  
Trudeau  
Valeriote — 125

Pacetti  
Patry  
Perreault  
Plamondon  
Rafferty  
Raynault  
Sandhu  
Scarpaleggia  
Sgro  
St-Denis  
Stoffer  
Thibault  
Tremblay  
Turnel

## NAYS

### Members

Ablonczy  
Adler  
Albrecht  
Allen (Tobique—Mactaquac)  
Ambler  
Anders  
Armstrong  
Aspin  
Bateman  
Bernier  
Blancy  
Boughen  
Breitkreuz  
Brown (Newmarket—Aurora)  
Bruinooze  
Calandra  
Cannan  
Carrie  
Chong  
Clement  
Del Mastro  
Dreesen  
Dykstra  
Fast  
Finley (Haldimand—Norfolk)  
Galipeau  
Gill  
Goguen  
Gosal  
Grewal  
Harris (Cariboo—Prince George)  
Hayes  
Hillyer  
Hoepfner  
James  
Kamp (Pitt Meadows—Maple Ridge—Mission)  
Kenney (Calgary Southeast)  
Kerr  
Kramp (Prince Edward—Hastings)  
Lauzon  
Leaf  
Lemieux  
Lizon  
Lukowski  
MacKay (Central Nova)  
Mayes  
McLeod  
Menzies  
Miller  
Moore (Fundy Royal)  
Norlock  
O'Neill Gordon  
Oliver  
Payne  
Poilievre  
Raitt  
Rathgeber  
Rempel  
Richardson  
Saxton  
Seeback  
Shipley

Adams  
Albas  
Alexander  
Allison  
Ambrose  
Anderson  
Ashfield  
Baird  
Benoit  
Bezan  
Block  
Braid  
Brown (Leeds—Grenville)  
Brown (Barrie)  
Butt  
Calkins  
Carmichael  
Chisu  
Clarke  
Davidson  
Devolin  
Duncan (Vancouver Island North)  
Fantino  
Findlay (Delta—Richmond East)  
Fletcher  
Gallant  
Glover  
Goldring  
Gourde  
Harper  
Hawn  
Hiebert  
Hoback  
Holder  
Jean  
Keddy (South Shore—St. Margaret's)  
Kent  
Komarnicki  
Lake  
Lebel  
Leitch  
Leung  
Lobb  
Lunney  
MacKenzie  
McColeman  
Menegakis  
Merrifield  
Moore (Port Moody—Westwood—Port Coquitlam)  
Nicholson  
O'Connor  
Obhrai  
Opitz  
Penashue  
Preston  
Rajotte  
Reid  
Richards  
Rickford  
Schellenberger  
Shea  
Shory



*Government Orders*

Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trottier
Truppe	Tweed
Uppal	Van Kesteren
Van Loan	Vellacott
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilks	Williamson
Wong	Woodworth
Young (Oakville)	Young (Vancouver South)
Zimmer— 155	

## PAIRED

Nil

**The Speaker:** I declare Motion No. 64 lost.

The next vote is on Motion No. 65. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the nays have it. (Motion No. 65 negatived.)

**The Speaker:** The next question is on Motion No. 66. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** No.

**The Speaker:** In my opinion the nays have it. I declare the motion lost. (Motion No. 66 negatived.)

**The Speaker:** The next question is on Motion No. 67. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the nays have it. I declare the motion lost.

(Motion No. 67 negatived.)

**The Speaker:** The next question is on Motion No. 68. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the nays have it. I declare the motion lost.

(Motion No. 68 negatived.)

**The Speaker:** The next question is on Motion No. 69. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the nays have it. I declare the motion lost.

(Motion No. 69 negatived.)

**The Speaker:** The next question is on Motion No. 73. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the nays have it. I declare the motion lost.

(Motion No. 73 negatived.)

**The Speaker:** The next question is on Motion No. 78.

● (2025)

(The House divided on Motion No. 78, which was negated on the following division:)

(Division No. 90)

YEAS

Members

Allen (Welland)	Angus
Atamanenko	Aubin
Ayala	Bélanger
Bellavance	Bennett
Benskin	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Choquette	Chow
Christopherson	Cleary
Coderre	Comartin
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Stratheona)
Dusseauult	Easter
Eyking	Foote
Freeman	Garncau
Genest	Genest-Jourdain
Giguère	Godin
Goodale	Gravelle
Groguhé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hsu
Hughes	Hyer
Jacob	Julian
Karygiannis	Kellway
Lamoureux	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McCallum	McGuinty
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Murray	Nantel
Nash	Nicholls
Nunez-Melo	Pacetti
Papillon	Patry
Péclét	Perreault
Pilon	Plamondon
Quach	Rafferty
Ravignat	Raynault
Regan	Sandhu
Savoie	Scarpaleggia
Sellah	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	
Sitsabaiesan	St-Denis
Stewart	Stoffer
Sullivan	Thibault
Toone	Tremblay
Trudeau	Turncl
Valeriote — 125	

NAYS

Members

Ablonczy	Adams
Adler	Albas
Albrecht	Alexander

Government Orders

Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Baird
Bateman	Benoit
Bernier	Bezan
Blaney	Block
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinoooge	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Davidson
Del Mastro	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Galipeau	Gallant
Gill	Glover
Goguen	Goldring
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Hoepfner	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzion	Lebel
Leaf	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
O'Neill Gordon	Obhrai
Oliver	Opitz
Payne	Penashue
Poileuvre	Preston
Raitt	Rajotte
Rathgeber	Reid
Rempel	Richards
Richardson	Rickford
Saxton	Schellenberger
Seebach	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trottier
Truppe	Tweed
Uppal	Van Kesteren
Van Loan	Vellacott
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilks	Williamson
Wong	Woodworth
Young (Oakville)	Young (Vancouver South)
Zimmer — 155	

PAIRED

Nil

The Speaker: I declare Motion No. 78 lost.



*Government Orders*

The next question is on Motion No. 83. If Motion No. 83 is agreed to, it will be necessary to vote on Motion No. 85.

Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the nays have it. I declare the motion lost.

(Motion No. 83 negatived)

**The Speaker:** The next question is on Motion No. 84. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the nays have it. I declare the motion lost.

(Motion No. 84 negatived)

• (2030)

**Hon. Rob Nicholson (Minister of Justice, CPC)** moved that the bill be concurred in.

**The Speaker:** Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the nays have it.

*And five or more members having risen:*

**The Speaker:** Call in the members.

(The House divided on the motion, which was agreed to on the following division:)

*(Division No. 91)*

## YEAS

## Members

Ablonczy	Adams
Adler	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Baird
Bateman	Benoit
Bernier	Bezan
Blaney	Block
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooog	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Davidson
Del Mastro	Devolin
Dreesen	Duncan (Vancouver Island North)
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Galipeau	Gallant
Gill	Glover
Goguen	Goldring
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Hoepfner	Holder
Janes	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauson	Lebel
Lcef	Leitch
Lemicux	Leung
Lizon	Lobb
Lukowski	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
O'Neill Gordon	Obhrai
Oliver	Opitz
Payne	Penashue
Poilievre	Preston
Raitt	Rajotte
Rathgeber	Reid
Rempel	Richards
Richardson	Rickford
Saxton	Schellenberger
Seeback	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trottier
Truppe	Tweed
Uppal	Van Kesteren
Van Loan	Vellacott
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	Williamson
Weston (Saint John)	Woodworth
Wilks	Young (Vancouver South)
Wong	
Young (Oakville)	

Zimmer — 155

## NAYS

## Members

Allen (Welland)	Angus
Atamanenko	Aubin
Ayala	Bélanger
Bellavance	Bennett
Benskin	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brousseau
Byrne	Caron
Cassey	Cash
Charlton	Chicoine
Choquette	Chow
Christopherson	Cleary
Coderre	Comartin
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Duscault	Easter
Eyking	Footé
Freeman	Garncau
Genest	Genest-Jourdain
Giguère	Godin
Goodale	Gravelle
Grogue	Harris (Scarborough Southwest)
Harris (St. John's East)	Isu
Hughes	Hyer
Jacob	Julian
Karygiannis	Kellway
Lamoureux	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McCallum	McGuinty
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Murray	Nantel
Nash	Nicholls
Nunez-Melo	Pacetti
Papillon	Patry
Péclet	Perreault
Pilon	Plamondon
Quach	Rafferty
Ravignat	Raynault
Regan	Sandhu
Savoie	Scarpaleggia
Sellah	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	
Sitsabaiesan	St-Denis
Stewart	Stoffer
Sullivan	Thibeault
Toone	Tremblay
Trudeau	Turnel
Valeriote — 125	

## PAIRED

Nil

**The Speaker:** I declare the motion carried.

## Private Members' Business

## PRIVATE MEMBERS' BUSINESS

● (2035)

[English]

## EMPLOYMENT INSURANCE ACT

The House resumed from November 29 consideration of the motion that Bill C-316, An Act to amend the Employment Insurance Act (incarceration), be read the second time and referred to a committee.

**The Speaker:** The House will now proceed to the taking of the deferred recorded division on the motion at second reading of Bill C-316 under private members' business.

● (2045)

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 92)

## YEAS

## Members

Ablonczy	Adams
Adler	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Baird
Bateman	Benoit
Bernier	Bezan
Blaney	Block
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooog	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Davidson
Del Mastro	Devolin
Dreschen	Duncan (Vancouver Island North)
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Galipeau	Gallant
Gill	Glover
Goguen	Goldring
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Hoepfner	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauson	Lebel
Leef	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
O'Neill Gordon	Obhrai
Oliver	Opitz



*Adjournment Proceedings*

Payne	Penashue
Poilievre	Preston
Raitt	Rajotte
Rathgeber	Rcid
Rempel	Richards
Richardson	Rickford
Saxton	Schellenberger
Seebach	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trottier
Truppe	Tweed
Uppal	Van Kesteren
Van Loan	Vellacott
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilks	Williamson
Wong	Woodworth
Young (Oakville)	Young (Vancouver South)
Zimmer— 155	

**NAYS**

## Members

Allen (Welland)	Angus
Atamanenko	Aubin
Ayala	Bélanger
Bellavance	Bennett
Benskin	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Choquette	Chow
Christopherson	Cleary
Coderre	Comartin
Cotler	Crowder
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dussault	Easter
Eyking	Foote
Freeman	Garneau
Genest	Genest-Jourdain
Giguère	Godin
Goodale	Gravelle
Groguhé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hsu
Hughes	Hyer
Jacob	Julian
Karygiannis	Kellway
Lamoureux	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Masse	Mathysen
May	McCallum
McGuinty	Michaud
Moore (Abitibi—Témiscamingue)	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Murray
Nantel	Nicholls
Nunez-Melo	Pacetti
Papillon	Patry
Péclét	Perreault
Pilon	Plamondon
Quach	Rafferty
Ravignat	Raynault
Regan	Sandhu

Savoie	Scarpaleggia
Sellah	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	
Sitsabaiesan	St-Denis
Stewart	Stoffer
Sullivan	Thibeault
Toone	Tremblay
Trudeau	Turnel
Valeriote— 123	

**PAIRED**

Nil

**The Speaker:** I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities.

(Bill read the second time and referred to a committee)

**The Speaker:** I wish to inform the House that because of the delay, there will be no private members' business hour today. Accordingly, the order will be rescheduled for another sitting.

**ADJOURNMENT PROCEEDINGS**

[English]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

**The Acting Speaker (Mr. Bruce Stanton):** I would ask hon. members who may not be staying for adjournment proceedings and who have conversations they would like to carry on with their colleagues to perhaps do so in their respective lobbies.

The hon. member for Cape Breton—Canso.

**EMPLOYMENT INSURANCE**

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, my question in the adjournment proceedings this evening pertains to a question posed to the Minister of Human Resources and Skills Development.

I am aware of the format for adjournment proceedings: I can speak for four minutes, and then the parliamentary secretary speaks for four minutes. She has five minutes in total, so I will give her the question now and then I will give her the preamble to the question.

The parliamentary secretary will have five minutes to come up with the right answer. When I asked her the other day, obviously the minister was totally unaware of the fact that the speed of payment indicator measured both the speed of issuing a cheque and of issuing a notice of nonpayment. The minister had no clue about that.

I want to ask the parliamentary secretary this question: once a notice of nonpayment is issued to somebody who has applied for employment insurance, does that notice start the clock all over again?

An unemployed individual filled out the application and went through the process, but the postal code was not the same on the application as it was on the record of employment. I want to ask specifically whether it is a fact that after the file is rejected and the person is issued a notice of nonpayment, that same individual then has to go four weeks without employment insurance because once the information is supplied, the clock starts again at day one.

The individual applied on October 1, but because there was some kind of mistake on the application, the computer rejected it. It got fixed up and was put back into the system. By that time it was the first or second week of November. It is a 28-day level of service, and the government says it can do it within 28 days, but in fact it is the second 28 days.

The minister almost separated her shoulder patting herself on the back the other day for getting cheques out in 28 days. It is pretty easy if we only measure 28 days at a time, but it is pretty tough if it is an individual's third 28-day rotation and that person has gone six, seven, eight weeks without a cheque. It is pretty tough to pay the bills with a notice of nonpayment.

The one question I pose is this: is it a fact that the clock is restarted after an applicant receives a notice of nonpayment?

• (2050)

**Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, I cannot speak specifically to all of the numbers and cases the member for Cape Breton—Canso seems to want to bring up, but I can say that the government is committed to delivering programs and services in an effective and efficient way.

Our government received a clear mandate from Canadians to eliminate the deficit, keep taxes low and continue creating jobs for Canadians.

A few years ago, we began to automate EI processing for greater efficiency. Over the next three years, EI processing will be consolidated into 22 large regional centres. We will ease the transition to a smaller workforce through attrition, reassignment and retraining. Affected employees will be considered for other available positions.

In these fragile economic times, we are working hard to make sure that we are investing in the priorities of Canadians and to ensure that their hard-earned tax dollars are put to the best use.

Our government is continually monitoring the performances of our services and technology to make improvements that meet the needs of Canadians.

We are implementing measures regularly to further improve service levels and help our employees continue to deliver results to Canadians.

Canadians want their tax dollars spent wisely, and we are taking full advantage of opportunities to modernize the delivery of employment insurance. Modernizing our services over the next three years will mean changes in the way we currently do business. Ultimately, it will allow for better, faster and more cost-effective services for Canadians.

### *Adjournment Proceedings*

For example, automation will soon be introduced with respect to the revisions of existing claims work all of which previously was done manually. Just last month we introduced changes to make it easier for employers to register and submit their records of employment electronically, a key requirement for automating claims processing.

As more employers sign up, we will eliminate an unnecessary paper burden on the system and continue our efforts to faster, more cost-effective processing of claims. We have also taken steps to reassign staff from non-core functions to support claims processing during peak periods.

We know that Canadians want efficient government that gives them value for their hard-earned tax dollars. That is exactly what we are doing and we are staying focused on that goal.

**Mr. Rodger Cuzner:** Mr. Speaker, reference was made to automation. When the officials appeared before us at committee, they identified that currently 99% of applications are filed online and 50% of the applications are processed electronically.

The Conservatives make reference to the amount of paper. I think that excuse is paper thin. As they continue to automate, the performance numbers have been going down and down to five- and six-year lows.

How is laying off 600 employees and closing the call centres and the processing centres which the Conservatives are looking at doing, going to improve service to unemployed Canadians? It is coming up to Christmas. The government should show a little bit of love.

• (2055)

**Ms. Kellie Leitch:** Mr. Speaker, with continuous improvements to our business model, such as increasing automation, improved e-services, national workload management and document imaging, Service Canada is positioned to manage its workload in a very effective way.

[Translation]

The government is clearly adopting measures to ensure that the employment insurance program is delivered effectively and in a way that is most beneficial to Canadians.

[English]

The way in which EI claims are currently processed is out of date. Modernization at Service Canada will give Canadians in every region of the country better access to employment insurance and a host of other Government of Canada services.

So far this year, the average time to receive the first EI payment is 23 days. That is only two days longer than last year. The member should know that considering that the same information is included in the answer to order paper Question No. 162, which was provided to him earlier this month.



*Adjournment Proceedings*

However, we are not satisfied with that. We all want to see improvements to serve Canadians better. That is why we are modernizing the employment insurance system so Canadians can receive their EI benefits even faster.

## ETHICS

**Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP):** Mr. Speaker, this is to address my question posed on November 4 of this year. It was regarding ethics and in particular the lack of full accountability regarding the planning process and funding of projects by the member for Parry Sound—Muskoka with the complicity of the then Minister of Transport, Infrastructure and Communities, the member for Ottawa West—Nepean.

To summarize, there were 33 projects that used up approximately \$50 million of funds that were earmarked for border infrastructure. Even with the facts that we have in hand, it appears that the members for Parry Sound—Muskoka and Ottawa West—Nepean used their privilege and power to skirt the rules and processes of infrastructure funding. It is this that disturbs all Canadians. They do not care that the projects were done on time and under budget. They are not comforted by the assurances of both members that they realize the error of their ways and that they will not do this again.

These members are not in elementary school. They are some of the most privileged individuals in the country. They are among the 308 leaders of Canada. Nor are they rookie members, for they served a long time under the Harris government previous to joining the Reform-Conservative coalition.

It seems that whenever there are these kinds of misdirections of funds the government always has a justification. The justification from certain wings of the Liberal Party about the sponsorship scandal was that it was to promote pro-Canada sentiment in Quebec after a fractious referendum in 1995. However, we know now, from the uncovering of all the information, that funds were misused and the original intent was subverted.

In 2006 the government came to power under the banner of accountability but a mere five years later we see that the Conservative government too has developed its own sense of entitlement. The member for Parry Sound—Muskoka and his accomplice, the member for Ottawa West—Nepean, believe that they do not have to submit the project application documents.

In the 2006 election one of the tightest races happened in Parry Sound—Muskoka. The member who ran in that race profited from disgust with the Liberal record and lack of accountability. His sense of entitlement will only hurt his colleagues in the future. This is why strategists in his party may have tried to tie his funding to the G8 summit, even though many of the projects were not even close to the site of the summit. These appear to be re-election gifts. These kinds of things work in the short-term for the member, but they harm the image of his party overall.

I am expecting to hear the same pat answers about how the minister appeared before the committee for two hours, how the members took the Auditor General's recommendations and will do a better job in the future, and how all projects came in on time and under budget. However, Canadians are expecting the whole story and waiting for the full truth.

**Mrs. Cathy McLeod (Parliamentary Secretary to the Minister of National Revenue, CPC):** Mr. Speaker, I would like to respond to the question from my hon. colleague. To be quite frank, this issue has been thoroughly aired and here are the facts.

The Minister for the Federal Economic Development Initiative for Northern Ontario has said that all the documents were provided to the Auditor General. Our government accepts the Auditor General's recommendations and will improve the process in the future. The Auditor General and now the RCMP have reviewed all of the facts in this case and the NDP has not produced any information that changes these facts.

This is the same kind of muckraking that Canadians rejected in the last election. We will remain focused on what matters to Canadians, and that is jobs and the economy.

• (2100)

**Mr. Jamie Nicholls:** Mr. Speaker, do members know what Canadians reject time after time? It is when there is a lack of accountability and transparency on the part of the government. Throughout history, Canadian voters have rejected governments that take their sense of entitlement and privilege to an extreme where they actually misuse funds.

In this case, we do not believe that all the documents have been given. We would like to see the application documents. Some 200-odd application documents out of those 33 projects were chosen and we have not seen those documents. If the government were willing to do so, we would like to see it table the documents in this House.

**Mrs. Cathy McLeod:** Mr. Speaker, again the opposition continues to muckrake and bring up issues.

Canadians right now are incredibly concerned about jobs and the economy, so let me just go back on this particular question and say that all documents were provided. The Auditor General and the RCMP have reviewed all the facts in the case and our government accepts the Auditor General's recommendations. The NDP has not given us any information that changes these facts, so again, we accept the Auditor General's recommendations and it has been thoroughly aired in this Parliament.

[Translation]

CANADA REVENUE AGENCY

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, with respect to the previous question, I used to sit on the Standing Committee on Public Accounts, and I could easily talk about the fact that we did not obtain the documents and that the documents we have are new ones. However, that is not the question that I want to raise this evening. In fact, I asked a question on November 4 about a troubling and problematic situation at the Canada Revenue Agency.

This has been known for a while, and other revelations have added to the questions we have about the Canada Revenue Agency. This is a problem for all Canadians, not only because the Canada Revenue Agency is an essential part of the government, since it is the main agency that collects money and enables the government to function, but also because Canadians must view the agency as neutral, efficient and above reproach.

Reports we obtained from the media, for instance, show that a situation is developing in some of the agency's offices in Quebec, particularly in Montreal. We are hearing about an extortion scheme and bribes paid to rather senior CRA employees in exchange for substantial income tax reductions. In one particular case, we heard about a Montreal business that owed CRA \$3,500,000. Through this bribe and extortion scheme, that company managed to reduce that amount to \$50,000.

All of this was uncovered in 2007 and we know that it has been going on for about 10 years. It was uncovered during an investigation into organized crime in Montreal as part of Operation Colisée. That investigation revealed that senior CRA employees in Montreal had some questionable ties to construction companies that were suspected of having links to organized crime.

Everyone agrees that the Canada Revenue Agency has to be above reproach. Obviously, the question that was asked did not apply to all employees, or to the employees in general, but to the few people who tried to use their positions in the Canada Revenue Agency for their own personal gains and to allow their friends to end up with a clean tax record. The investigation has not come up with much so far. Only nine employees may have been suspended or dismissed and many questions remain about the integrity of the process. That is why I asked the Minister of National Revenue the question.

There is one last thing I want to emphasize and it has to do with my second question on the fact that, during the investigation into one business in particular, the file, which had been in the office when the internal auditor mandated by the Auditor General was there, disappeared. This also causes certain problems and raises suspicions about the way in which the office operates.

The question was for the Minister of National Revenue and I would like to have an answer with regard to the investigation and what the government intends to do to reassure Canadians about the integrity of the Canada Revenue Agency.

• (2105)

[English]

**Mrs. Cathy McLeod (Parliamentary Secretary to the Minister of National Revenue, CPC):** Mr. Speaker, the government takes this issue very seriously. We cannot tolerate the types of activities that are alleged. An RCMP investigation into these matters is ongoing and CRA officials are co-operating fully. Many of these allegations date back more than a decade and some of these cases are currently making their way through the courts. The integrity of our tax system is important to all Canadians and our government will take any steps necessary to ensure it is protected. It would not be appropriate to comment further or to add political interference in an RCMP investigation.

#### *Adjournment Proceedings*

Having said that, I want to assure the House that CRA employees are held to a very high standard and any type of allegation of wrongdoing or inappropriate conduct is taken very seriously by our government. CRA employees are subject to the laws, as are all Canadians. Accordingly in cases where CRA employees are found to be involved in criminal activity, they are subject to prosecution to the fullest extent of the law.

The CRA investigates all allegations of employee misconduct. All CRA employees are subject to a strict standard of conduct, which is clearly defined in the agency's Code of Ethics and Conduct. Breaches of the standard of conduct may result in disciplinary measures up to and including termination of employment. The CRA expects that its employees, like all Canadian taxpayers, will meet their personal tax obligations and that they will respect the system within which they are employed. Our government's absolute expectation is that the appropriate authorities take all steps necessary to ensure Canada's law is respected.

Unlike the opposition, we have faith in the RCMP. We await the outcome of its investigation. I would encourage my colleague to allow this work to go ahead free of unhelpful and potentially damaging political rhetoric and inappropriate political interference.

[Translation]

**Mr. Guy Caron:** Mr. Speaker, I regret the tone that was used. This debate must not be politicized. Canadians are concerned about these news stories, and Quebecers particularly, since happened in Montreal. I understand that police intervention is a delicate subject, but it is important to remember that nine employees were suspended or dismissed as a result of the investigation. People were sentenced. Are there other employees who will be sentenced or who are currently under investigation?

My second question is about the missing records. We recently learned that over 2,700 tax records at the Canada Revenue Agency were allegedly consulted without authorization and also went missing. What is even more serious is the fact that the Privacy Commissioner, Ms. Stoddart, was not even made aware of this situation. The fact that employees were suspended or dismissed is of interest to Canadians regardless of their political affiliation.

With regard to the disappearance of these records and the protection of privacy, I would like to know what the Parliamentary Secretary to the Minister of National Revenue intends to do to remedy this situation.

[English]

**Mrs. Cathy McLeod:** Mr. Speaker, I have to reinforce this because it is very important. The government does take the issue very seriously. The minister has been clear that we will not tolerate the type of activities alleged. An RCMP investigation into these matters is ongoing and CRA officials are co-operating fully. We are confident in the RCMP's ability to conduct this investigation.



*Adjournment Proceedings*

The integrity of our tax system is of course important to all Canadians. Our government will take any steps necessary to ensure that it is protected. Canada has one of the most successful and internationally praised systems of tax administration in the world. CRA is recognized as a world leader in administering the nation's taxes and the overwhelming majority of the 40,000 employees are above reproach.

In those exceptionally rare cases where there is a breach of the public trust, the CRA acts swiftly to take corrective action. In these cases, I would ask my colleague across the way to please allow the

RCMP to do its job free of political interference. It is really not a time to try to score cheap political points with such a serious issue.

● (2110)

[*Translation*]

**The Acting Speaker (Mr. Bruce Stanton):** The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a. m., pursuant to Standing Order 24(1).

(The House adjourned at 9:10 p.m.)

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